

Sacrae Theologiae P. L. V. 3
The Sword of Christian Magistracy Supported:
OR A
VINDICATION

OF
The Christian Magistrates Authority under
the GOSPEL,

To punish Idolatry, Apostacy, Heresie, Blas-
phemy, and obstinate Schism, with Corporall, and in
some Cases with Capitall Punishments.

Wherein this their Jurisdiction is cleared by Proofs, and
Arguments, from the Old and New Testament; by the
Laws, and Practise of Godly Christian Emperors, Kings, States,
and Magistrates; The Common and Statute Laws of England; the consent
of the best Ancient and Modern Authors of all sorts; and the most
materiall Objections to the contrary, made by Donatists, Anabap-
tists, &c. fully Answered and Refuted.

By WILLIAM PRINNE of Lincolns Inne, Esquire.

Augustin. Epist. 48. Vincentio & Gratian: Causa. 23. qu. 4.

Melius est cum severitate diligere, quam cum lenitate decipere: Si quisquam Inimicum periculosis febribus phreneticum factum currere videret in præcep, nonne tunc potius malum pro malo redderet, si sic enim ire permetteret, quam si corripendum ligandumque curaret? Et tamen tunc ei molestissimus & avertissimus videretur, quando utilissimus et misericordissimus extitisset? Sed planè salute reparata, tanto ei uberius gratias ageret, quando minus sibi pepercisse sensisset. Donatiste nimium sunt inquieti, quos per ordinatas a Deo potestates singulares, cohiberi atq; corrigi, mihi non videtur inutile; nam de multorum jam correctione gaudemus.

Zech. 13. 3.

Thou shalt not live, for thou speakest Lyes in the name of the Lord: and his Father and Mother, shall thrust him through when he prophesieth.

Levit. 24. 16.

He that blasphemeth the Name of the Lord, shall surely be put to death; and all the Congregation shall certainly stone him: as well the stranger, as he that is born in the Land, when he blasphemeth the Name of the Lord, shall be put to death.

Dan. 3. 29.

Therefore I make a Decree, that every People, Nation, and Language, that speak any thing amisse against the God of Shadrach, Meshach and Abednego, shall be cut in peeces, and their Houses shall be made a dung-hill.

Rev. 17. 16.

The ten hornes which thou sawest upon the beast, are ten Kings, these shall hate the Whore, and shall make her desolate and naked, and shall eat her flesh, and burn her with fire.

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The Sword of Christian Magistracy Supported :
OR
A FULL VINDICATION
OF
Christian Kings and Magistrates Authority
Under the G O S P E L L,

To punish Idolatry, Apostacy, Heresie, Blasphemy, and
obstinate Schism, with Corporall; and in some Cases with

Capital punishments, from many late Cavils and excep-
tions against the same.

THE authority of Christian Magistrates under the Gospel
having of late years been most audaciously oppugned
both in Press and Pulpit, in fundry particulars, especially
in points of Church-Government, Church-Reformation,
and this principal branch thereof; the restraint and pu-
nishment of obstinate seducing Idolaters, Hereticks, false
Teachers, Schismaticks, and Blasphemers, by civil san-
ctions and corporal punishments; I thought it not only
seasonable, but in some sort necessary, to debate this que-
stion in a plain and plenary manner.

*Whether Christian Kings, States and Magistrates under the Gospel, may and
ought, by the Word of God, to restrain by Civil Sanctions all Idolatries, He-
resies, Errours, Schisms, Blasphemies, and to Mult with corporall, pecu-
niary, and in some cases, with banishment and capital punishments, such ob-
stinate seducing Idolaters, Apostates, Hereticks, false Teachers, Schisma-
ticks and Blasphemers, who disturbe the Peace of Church, State, and draw
down judgements upon both; when Admonitions, Exhortations, and disputes
will not reclaim them?*

I shal maintain the Affirmative, that *they may, may ought to do it*. To avoyd
mistakes and state the question aright; I shal first of all lay down these conclusions
as indubitable.

1. That there are such sins as Idolatry, Apostacy, Heresie, damnable Errors, obstinate
Schisms and Blasphemies in Christian Kingdomes, States, Churches, and persons
guilty of them.

2. That those who are guilty of them, are, or may be certainly known, discovered to and by Christian Princes and Magistrates.
3. That these sins draw down Gods Judgments, not only on the persons who are guilty of them, but likewise on the Christian Rulers, States, and places which permit, tolerate, or not severely punish and suppress them.
4. That it is the duty of Christian Princes, States, Magistrates, to use all possible diligence and lawful means to keep their Kingdoms, States, People, from being infected with all, or any of these dangerous wrath-provoking sins, yea, a grand sin and neglect in them, not to do it.

Secondly, I shal propound and agree what is not in controverſie, as.

1. That the preaching of the Word, Christian Exhortations, Reprehensions, Conferences, and Disputes, are the most proper and effectual means to convert, reform Idolaters, Apostates, Hereticks, False Teachers, Schismatics, and Blasphemers.

2. That such as these are first of all to be gently admonished, instructed, confuted, and if possible, reformed by the Word, or other spiritual and gentle means, before the civil Magistrate proceed to corporal or capital punishments.

3. That the present question is only of Idolaters, Apostates, Hereticks, False Teachers, obstinate Schismatics, and Blasphemers, not meer tender consciences in matters of Church Discipline and the like; neither yet are all these always to be proceeded against with the self-same rigour and severity; but as their obstinacy, Idolatries, Apostacies, Heresies, Errors, Schisms, Blasphemies, are more or lesse heinous and pernicious, so the proceedings against them ought to be more milde or severe.

These things premised, I shal now proceed to some Arguments to make good my Assertion: The first shal be this.

Argum. 1.

That which godly Kings and Magistrates in the Old Testament, under the Law, were enjoyned to do by Gods own exprefs command, and did accordingly execute with Gods special approbation: Christian Kings and Magistrates under the Gospel, may and ought to do and execute, by virtue of the self-same commands.

But godly Kings and Magistrates in the Old Testament, under the Law, were enjoyned by Gods own exprefs command, to restrain all Idolatry, Apostacy, Heresie, Errors, Schisms, Blasphemies; yea to punish with corporal, and in some cases with capital Punishments, such obstinate seducing Idolaters, Apostates, Hereticks, False Teachers, Schismatics, and Blasphemers, who disturbed the Peace of Church, State, and drew down Gods Judgments upon either, and did accordingly execute the same command with Gods special approbation, when admonitions, exhortations, and Disputes would not reclaim them.

Therefore Christian Magistrates under the Gospel may and ought to do the like.

The Major Proposition I shal make good by these undenyable reasons.

First, because * God hath ordained and continued Kings and Magistrates under the New Testament as wel as under the Old, and enjoyned obedience to them; R o m. 13. 1. to 6. 1 TIM. 2. 1, 2, 3. TIT. 3. 1. 1 PET. 2. 13, 14. C. 4. 15. which none but professed Anabaptists do deny.

Secondly, because Christian Kings and Magistrates under the Gospel, have the self-same authority as godly Kings and Magistrates had under the Law; even as Parents, Masters, Husbands (natural Magistrates) have the self-same authority over their Children, Servants, Wives, under the Gospel, as they had under the Law; R o m.

* See the Harmony of Confessions, Sect. 19. and Calvins Instit. 1. 4. c. 20.

likewise cut them off, as God commands, before God proceeds to do it: they being his * *Ministers and Executioners appointed for this end*, who must not put off the Execution of such to God the supream Judge, no more then the Hangman amongst us may transfer the Execution of a Felon or Traytor to the Judge who condemns them: which answers and refutes one main objection of our opposites, that we must leave Idolaters, Hereticks, and False Teachers unto Gods Judgement and Execution, if we cannot convert them by the Word, and let such * *tares to grow til the harvest, amongst the Corn.*

[Math. 13.

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Note.

Secondly, Deut. 13. 1. If there arise among you a Prophet, or a Dreamer of dreams, and giveth thee a sign or a wonder, and the sign or the wonder come to pass, whereof he spake unto thee, saying, let us go after other gods (which thou hast not known) and let us serve them: Thou shalt not hearken unto the words of that Prophet, or that Dreamer of dreams, for the Lord your God proveth you, to know whether you love the Lord your God with all your heart, and with all your soul: yee shall walk after the Lord your God, and fear him, and keep his commandments, and obey his voice; and you shall serve him and cleave unto him: And that prophet, or that dreamer of dreams shall be put to death (because he hath spoken to turn you away from the Lord your God, which brought you out of the Land of Egypt, and redeemed you out of the house of bondage, to thrust thee out of the way which the Lord thy God commanded thee to walk in) so shalt thou put the evil away from the midst of thee. If thy brother, the son of thy mother, or thy son; or thy daughter, or the wife of thy bosom, or thy friend which is as thine own soul, entice thee secretly, saying, let us go and serve other gods (which thou hast not known, thou nor thy fathers), namely of the gods of the people, which are round about you, or nigh unto thee, or far off from thee, from one end of the earth even unto the other end of the earth: Thou shalt not consent unto him, nor hearken unto him, neither shall thine eye pity him, neither shalt thou spare, neither shalt thou conceal him: But thou shalt surely kill him, thine hand shall be first upon him to put him to death, and afterwards the hands of all the people; And thou shalt stone him with stones that he dye, because he hath sought to thrust thee away from the Lord thy God, which brought thee out of the Land of Egypt, out of the house of bondage: And all Israel shall hear, and fear, and shall do no more any such wickednesse as this is among you. If thou shalt hear say in one of thy Cities, which the Lord thy God hath given thee to dwell there, saying, Certain men, the children of Belial, are gone out from among you, and have withdrawn the Inhabitants of their City, saying, Let us go and serve other gods (which we have not known); Then shalt thou inquire and make search and ask diligently: And behold if it be truth, and the thing certain, that such abomination is wrought amongst you: Thou shalt surely smite the Inhabitants of that City with the edge of the sword, destroying it utterly and all that is therein, and the cattle thereof with the edge of the sword: And thou shalt gather all the spoil of it into the midst of the street thereof, and shalt burn with fire the City and all the spoil thereof, every whit; for the Lord thy God; and it shall bee an heap for ever, it shall not be built again: And there shall cleave nought of the cursed thing to thine hand, that the Lord may turn from the fiercenesse of his anger and shew thee mercy, and have compassion upon thee, and multiply thee, as he hath sworn unto thy fathers: When thou shalt hearken to the voice of the Lord thy God

to keep all his Commandments, which I command thee this day, to do that which is right in the eyes of the Lord thy God.

Which is thus seconded *Dent. 17. 2. to 8.* If there be found among you within any of thy gates, which the Lord thy God giveth thee, man or woman that hath wrought wickedness in the sight of the Lord thy God, in transgressing his Covenant, and hath gone and served other gods, and worshipped them, either the Sun, or the Moon, or any of the host of heaven, which I have not commanded; And it be told thee, and thou hast heard of it, and enquired diligently, and behold it be true, and the thing certain, that such abomination is wrought in Israel: Then shalt thou bring forth that man, or that woman (which have committed that wicked thing) unto thy gates; even that man or that woman, and shalt stone them with stones till they dye. At the mouth of two witness, shall he that is worthy of death be put to death; but at the mouth of one witness he shall not be put to death: The hands of the witnesses shall be first upon him to put him to death, and afterwards the hands of all the people; so thou shalt put the evil away from among you.

Note.

From which two Texts I shall deduce these undeniable Conclusions.

First, That false Prophets and Dreamers of dreams may arise among Gods own people, and do signs, wonders, and predict things which may come to pass: which is more, I suppose, then any of our pretended New-Lights, Dreamers, or false Prophets now can do.

Secondly, That the end of such Dreamers and false Prophets, is but to draw people to go after other gods which they have not formerly known, and to serve them, or to worship the true God in an undue newfangled manner.

Thirdly, That God suffers such false Prophets and New seducing Lights to arise among his people, of purpose to prove them; to know whether they love the Lord their God with all their heart and with all their soul.

Fourthly, That Gods people must not hearken to such false Prophets, Dreamers, and New-Lights, though they do signs and wonders, but walk after the Lord their God, and fear him, and keep his Commandments, and obey his voice, and serve and cleave unto him; and that those that follow such false Prophets and Dreamers, do neither truly love, fear, serve, obey, nor cleave to God.

Fifthly, That such false Prophets and Dreamers were by Gods express Command to be PUT TO DEATH, by the Magistrate and people, though they actually seduced none from God; even because they had spoken revolt against the Lord their God, to turn them away from him, to thrust them out of the way; which the Lord their God commanded them to walk in.

Note.

Sixthly, That the putting of such to death, is so far from being an evil, or sin of persecution; that it is the only way to put away the evil of Idolatry, False-Worship, sin, plague, and punishment, from the midst of them, ver. 5.

Seventhly, that if not onely such false Prophets and dreamers; but even any mans own natural brother, son, daughter, wife, next of kin, and most endeared friend, which is as his own soul, should entice him secretly to go and serve other gods (or the true God in a new and false manner) which he and his fathers had not known; be it what false god soever, he must neither consent nor hearken to them, neither shall his eye pity them, neither shall he spare, nor conceal them; but he SHALL SURELY KILL THEM (without mercy) and his own hand shall be first upon

Note.

upon them to put them to death; and afterwards the hands of all the people, and they shall stone them with stones that they dye; not because they actually seduced him or others; but because they fought to thrust him away from the Lord his God: If then the nearest and dearest of all others to us must be put to death without mercy, in such a case, then much more others who are not so nearly related to us. Gods glory and our zeal to preserve his sincere Worship, must admit of no respect of persons, no toleration, connivance or compassion in such a case as this.

Eightly, That exemplary capital punishments, upon private or open enticers to Idolatry and False-Worship, is a special means appointed by God to preserve and convert others from Idolatry, and Apostacy, Verse II. "And all Israel shall hear" and fear and do no more any such wickedness as this is among you: The Sword of Justice will by Gods own Institution suppress, prevent, yea reform Idolatry, Apostacy, False-Worship, and Heresie, as well as the Word, the Sword of the Spirit; and prevails herein many times when the Word itself is ineffectual.

• See Lucas
Tudensis adv.
Albigenses
c. 22.

Ninthly, * That Magistrates are to make diligent search and inquiry after False-Teachers, Apostates, Seducers of men. to serve new gods, embrace new religions; and if a whole City be thus seduced, and such abomination certainly wrought among them; they "must surely smite the Inhabitants of that City (especially of "obstinate and impenitent) with the edge of the sword, destroying it utterly, and "all that is therein, and the cattel thereof, and burn all the spoil and City, and every parcel thereof with fire, and make it an heap for ever. By which it is apparent that not only private Idolaters, Apostates, Hereticks, but even whole Cities, Churches, and Congregations of them are so far from being tolerated, that they ought to be destroyed utterly if they continue obstinate.

Tenthly, That the tolerating of Idolaters, Apostates, and Hereticks is a means to provoke God to pour out the fierceness of his anger against his own people; but the utter extirpation of them without mercy, is a special means (of divine institution) to cause the Lord "to turn from the fierceness of his anger, to shew them "mercy and compassion; and multiply them as he hath promised: And is so far from being against the Word of God and displeasing to him, "that it is a keeping "of what he commands, a doing of that which is right in his eyes: Certainly it was so under the Old Testament, I doubt not but it is and will be the like under the New, which no ways contradicts nor revokes this text, or the severe proceedings enjoyed by the Old.

3.

Thirdly, *Deut. 18. 18. to 22. I will raise them up a Prophet from among their brethren like unto thee, and I will put my word into his mouth, and he shall speak unto them all that I shall command him &c. But the Prophet which shall presume to speak a word in my name, which I have not commanded him to speak; or that shall speak in the name of other gods, even that Prophet SHALL DYE: he hath spoken presumptuously, thou shalt not be afraid of him.*

From whence I infer: First, that false Prophets who presume to preach any dangerous Errors, or Heresies contrary to the Word of God, to draw men unto Error, Heresie, or False-Worship, are by the express Command of God to be put to death by the civil Magistrate, as well as such prophets who speak in the name of other gods: For this phrase *SHALL DYE*, here, is not intended of a NATURAL DEATH * COMMON TO ALL MEN; for then it were no special Punishment

nishment, threatened unto, and to be inflicted upon such; but a P E N A L DEATH judicially inflicted by men, as is clear by comparing it with *Dent.* 13. 5. c. 17. 5. *Zech.* 13. 3. & *Ier.* 26. 8. 11. 16. 23. *Exod.* 21. 12. 14. *Numb.* 35. 30. Secondly, this precept relates principally to false Teachers, and Prophets under the Gospel, and is not confined only to the times of the Law, since the next Verses preceding, to which it is subjoyned, relate only to Christ himself and his *Propheying* in the Flesh, as is evident by comparing them with *Ioh.* 1. 45. *Act.* 3. 22. & 7. 37. and because it is seconded by *Zech.* 3. 2, 3 &c. which relates only to the times of the Gospel (as I shall prove anon) under which False Prophets are to be put to death as well as under the Law. These three Precepts we find seconded with exemplary Executions approved and commanded by God himself.

Notes

Examples

The first Example, is that we read of *Exod.* 32. *viz.* That when the Israelites had committed Idolatry in worshipping the golden calf, *Vers.* 26, 27, 28, 29. *Moses* stood in the Camp and said, *who is on the Lords side? let him come unto mee;* and all the sons of *Levy* gathered unto him. And he said unto them, thus saith the Lord God of Israel, put every man his sword by his side, and go in and out from gate to gate throughout the Camp, and slay every man his brother, and every man his companion, and every man his neighbor; And the children of *Levy* did according to the word of *Moses*, and there fel of the people that day about three thousand men: For *Moses* had said, consecrate your selves to day to the Lord: a very man upon his son, and every man upon his brother, that he may bestow upon you a blessing this day: Whence observe these two Conclusions: First, that three thousand Idolatrous Israelites for worshipping the golden calf, were upon Gods special command slain by the direction of *Moses* the chief temporal Magistrate, in one day, even by the sons of *Levi* for want of other Executioners, and that they spared neither son, nor brother, nor neighbor guilty of this sin. Secondly that this severe execution of Justice upon these Offenders, was so pleasing unto God, that it pacified his wrath, and procured a blessing upon the Executioners and residue of the people, as this Chapter, and *Dent.* 33. 8, 9, 10. infallibly evidences.

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The second Example is registred in *Numb.* 25. 1. to 15. where we find, That the Daughters of *Moab* called the people of Israel unto the sacrifices of their gods; and that the people did eat and bowed down to their god; And Israel joyned himself unto *Baal Peor*, and the anger of the Lord was kindled against Israel; and the Lord said unto *Moses*, Take all the heads of the people and hang them up before the Lord against the Sun; that the fierce anger of the Lord may be turned away from Israel: And *Moses* said unto the Judges of Israel, slay ye every one his men that were joyned unto *Baal Peor*; And behold one of the children of Israel (even *Zunri* the son of *Salsu* a Prince of the chief house among the *Simionites*) came and brought unto his brethren a *Midianitish* woman (to wit *Cozbi* the daughter of *Zur*, head over a people and of a chief house in *Midian*) in the sight of *Moses*, and in the sight of all the Congregation of the children of Israel, who were weeping before the door of the Tabernacle of the Congregation; And when *Phineas* the son of *Eleazar* the son of *Aaron* the priest saw it, he rose up from among the Congregation, and took a javelin in his hand, and he went after the man of Israel into his

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his

his tent, and thrust both of them through, the man of Israel and the woman through the belly (for Peors sake Verse 18.) So the plague was stayed from the children of Israel: And those that dyed of the plague were about twenty four thousand; And the Lord spake unto Moses saying, Phineas the son of Eleazar, the son of Aaron the Priest, hath turned away my wrath from the children of Israel (when he was zealous for my sake among them) that I consumed not the children of Israel in my jealousy; wherefore, behold I give unto him my Covenant of peace, and he shal have it, and his seed after him, even the Covenant of an everlasting Priesthood, because he was zealous for his God, and made an attonement for the children of Israel: The first part of this history is thus amplified, Deut. 4. 3. Your eyes have seen what the Lord did because of Baal Peor; for all the men that followed Baal-Peor, the Lord thy God hath destroyed them from among you: to wit by the plague, and the Sword of Justice too in the Magistrates hand.

From which memorable history there are these considerable observations naturally deduceable. First, that Apostates from Gods true Worship to Idolatry and false Worship, are to be executed, slain, and put to death by the Judges and Civil Magistrate, by Gods own special Command. Secondly, that the Apostacy of Gods own people to Idolatry, and the Magistrates connivance thereat, is an immediate cause of provoking Gods wrath, and bringing down publick plagues and other judgements upon that whole Nation or Kingdom wherein they are not punished. Thirdly, that Gods own immediate punishing and cutting off Idolaters with a plague, is no argument nor excuse at all for the temporal Magistrates sparing or not punishing such with death (whose execution is here said to bee & stiled Gods own act, since they are but his Ministers herein) but rather an argument to excite them to the more speedy exemplary punishing of them even with death it self: which answers and refels one grand objection against punishing Hereticks, and Blasphemers with death, because God himself wil punish them if they repent not, and we must wholly leave them to his judgement. Fourthly, that the best and speediest course to remove Gods judgements brought upon a Nation for Idolatry, Apostacy, Heresie, or Blasphemy, is for the temporal Magistrates to execute speedy and exemplary capital punishments on those who are notoriously guilty of them; and that fasting and prayer without such exemplary executions upon the most eminent Malefactors in this kind, wil never pacify Gods wrath, nor remove his judgements inflicted for these sins. Fifthly, that the executing of capital punishments upon such, is an argument of true zeal to GOD: And therefore it seems strange to me, that those in this age, who pretend themselves the only Saints, Zealots, faithful ones, paramount all others by head and shouldiers in grace and piety, should be so voyd of Christian zeal for God, as to plead, preach, write, and print against the corporal and capital Punishment or Apostates, Idolaters, Hereticks, and Blasphemers by temporal Magistrates, and for a free Toleration of all Sects, Heresies, and Religions whatsoever, under the pretence of Liberty of Conscience: Certainly this extream want of holy zeal for God against Apostates, Idolaters, Hereticks; Blasphemers, and pleading for their impunity, at least with capital Censures, argues them to be no real Saints, because they have no true love to, nor zeal for God, which would make them as forward to thrust their Javelins, or the

the sword of Justice through the Bowels of such transcendent offenders, as Phineas was to thrust his Javelin through Zimri and Cozbi, without any question or dispute. Sixthly, that the exemplary capital punishing of such, is so far from being a persecution of the Saints, or against the Clemency of God under the Law or Gospel, that it is a most acceptable service to God, and procures a special Blessing upon the persons and posterities of those who are most zealous and active in this service, as appears by this example of Phineas, registered for his eternal honor and our future imitation and encouragement in this kind.

The third Example is JOSH. 22. 10. to 34. Where we read, *but when the Children of Ruben, Gad, and the half Tribe of Manasse had but built an Altar at the side of Jordan, the children of Israel no sooner heard thereof, but the whole Congregation of the children of Israel gathered themselves together at Shiloh, to go up to war against them, to destroy them, and the Cities wherein they dwell, as guilty of Idolatry, Apostacy, and False worship; apprehending the very building of this Altar to be a trespass committed against the God of Israel, to turn them away from following the Lord, that they might rebel against him, and that it would prove like the sin of Peor; and bring Gods wrath on the whole Congregation of Israel, and not on themselves alone: when as in truth they built it only for a memorial, but not to rebel against & turn from the Lord, or to be an Altar for burnt-offerings for meat-offerings or for sacrifices, like as the Altar of the Lord their God which was before the Tabernacle.*

From which history I collect: First, that the whole Congregation of Israel when they were most sincere and best affected towards God, deemed this supposed guilt of Apostacy, Idolatry, and Schism in these two Tribes and an half, by building this New Altar, a just ground of making a publick war against them, to destroy both them and their Country for this crime (though they were their dear brethren, who assisted them to conquer the Land of Canaan) by vertue of Gods Command fore-cited DEUT. 13. 11. to 17. Secondly, that the Apostacy, Idolatry, and obstinate Schism of a few, will draw down Gods Judgements upon a whole Nation and Kingdom, in case they tolerate or connive at them, and do not speedily cut them off by the sword of Justice. Thirdly, that in such a case, there is no way to prevent Gods wrath on all, but to cut off the Malefactors by speedy execution of corporal punishments and death upon them.

The fourth Example is recorded in the 1 KING. 18. 40. & c. 19. 1, 2. Where *Elijah commands all the people* (after he had convinced them by a miracle from heaven that the Lord was God) *to apprehend the Prophets of Baal, and not let one of them escape; whereupon they took them, and Elijah brought them down to the brook Kishon, and SLEW THEM there with the sword upon which Iezabel threatened to make his life as one of them.* By this it is apparent: First, that this holy, zealous Prophet and all the people were of opinion, That false Prophets and Idolaters ought by the Law of God to be put to death without any mercy; and that Gods Judgement of drought then upon the whole Kingdom, could not be removed before their execution: as the History there manifests. Secondly, that the execution of those Idolatrous false Prophets, was so necessary, that rather then they should want capital punishment the Prophet Elijah himself would be their executioner. His zeal then should shame our lukewarmnesse now.

5.

The fifth President is in JUDGES 6. 30. Then Iphis said unto all that stood against him, *Will ye plead for Baal? Will ye save him? he that wil plead for him, LET HIM BE PUT TO DEATH* whilst it is yet morning. Compared with the second of KINGS 10. 18. to 29. Where Jehu by Proclamation having gathered all Baals Priests, and worshippers into his temple, appointed fourscore men without, and said, if any of the men whom I have brought in to your hands escape, he that letteth him go, his life shal be for the life of him. And he said to the guard & to the Captains, go in & **SLEAY THEM**, let none come forth; and they smote them with the edge of the sword; and the guard and the Captains cast them out, and went to the City of the house of Baal, and they brought forth the Images out of the house of Baal and burnt them; and they brake down the Image of Baal, and the house of Baal, and made it a draught house unto this day; so Jehu destroyed Baal out of Israel. Here the supreme temporal Magistrate puts all the Idolatrous Priests and worshippers of Baal throughout the whole Kingdom, to death at once, without mercy; for which God himself commends him saying, *That he had done wel in executing that which was right in his eyes:* "And by this" means he destroyed Baal out of Israel, to his eternal honor.

6.

The sixth Example is thus recorded in the 2 KING. 11. 17, 18. and in the 2 CHRO. 23. 16, 17. And Jehoiada made a Covenant between him and between all the people, and between the King, that they should be the Lords people; And all the people of the Land went into the house of Baal and brake it down, his Altars and his Images brake they in peeces thoroughly; and * **SLEW** Mattan the Priest of Baal before the Altar. A memorable example of zeal and reformation after their solemn Covenant; And should not we be as zealous after our Covenant, against Idolatrous Priests, False Prophets, Hereticks, Apostates, Blasphemers, as they were against the Priests of Baal?

* And Idolatrous
Abalial
too.

7.

The seventh President is enrolled in the 2 CHRON. 15. 9, to 17. where godly King Asa, having gathered all Juda and Benjamin, and the strangers with them out of Ephraim and Manasseh, and out of Simeon to Jerusalem, in the fifteenth year of his reign, they all entred into a Covenant to seek the Lord God of their Fathers, with all their heart and with all their soul; That whosoever would not seek the Lord God of Israel, **SHOULD BE PUT TO DEATH, WHETHER SMALL OR GREAT, MAN OR WOMAN:** And they sware unto the Lord with a loud voice, and with shoutings, and with trumpets, and with cornets; And all Judah rejoyced at the Oath, for they had sworn with all their heart, and sought him with their whole desire; and he was found of them; and the Lord gave them rest round about: And also concerning Maachab, the mother of Asa the King, he removed her from being Queen, because she had made an Idol in a grove; and Asa cut down her Idol, and stamped it, and burnt it at the brook Kidron. Whence we shal observe.

* Dent. 13. 9.
is quoted in
margin of our
Bibles.

First, that this godly King and all his people bound themselves by a solemn Oath and Covenant (much like to ours) **TO PUT ALL** Idolaters, Apostates, Hereticks, and Blasphemers, and whosoever would not seek the Lord (of what quality or sort soever) **TO DEATH.**

Secondly, that this Oath and Covenant was so wel pleasing to God and agreeable to his Law; that whereas immediately before their entering into it, there was no peace to him that went out, nor to him that came in, but great vexations were upon all the Inhabitants of the Countreys, and Nation was destroyed of Nation, and City of City

City (as they are now among us) for God did vex them with all adversities, Ver. 32. Yet no sooner was this Oath and Covenant taken, but the Lord was found of them, and gave them rest round about; Verse 15. as no doubt he would do to us, were we as zealous against Apostates, Idolaters, Hereticks, Blasphemers against God and the sacred Trinity, as they; and would put the Ringleaders of such to death, whether small or great, whether man or woman, as they did.

Thirdly, that Aſa did depose his own Queen mother from being Queen, for her Idolatry, and cut down and burnt her Idol and her grove. A memorable example both of zeal and justice, to shame the luke-warmness, the partiality of our times, which have connived at, and countenanced, *Queen mother, and Queen daughter* too, in their Idolatries, yea erected publick *Groves and Chappels* for their Idols and Idol-worship.

Eighthly, to these I might accumulate EXOD. 23. 23, 24, 27, 33, C. 34. 13, 13, 14, 15. NUM. 21. 2, 3. C. 31. 8, 17. DEUT. 7. 2, 3, 4, 5. C. 12. 2, 8. JOSH. 23. 5. to 14. JUDG. 2. 2. Where God commanded Moses, Joshua, and the Israelites his own people, when he should delivier the Hittites, Gergashites, Amorites, Canaanites, Perizzites, Hivites, Jebusites, and Midianites into their hands, to smite, utterly destroy, and slay them with the sword, and to make no Covenants with them, nor show mercy unto them; and to destroy, break down, and burn their Altars, Groves, Images, and to make no marriages with their sons or daughters, least they should turn them away from following him, to serve other gods, and so should the anger of the Lord be kindled against them, and destroy them suddenly: Whereupon they did utterly destroy all the idolatrous Inhabitants of the Cities they took, with the edge of the sword, without sparing any, but Rahab and her family; JOSH. 6. 21, 22, 24. C. 8. 29. to 30. C. 9. 24, 26. C. 10. 1. to the end; specially v. 49. C. 11. 12. NUM. 21. 2, 3. C. 31. 16, 17. 2 CHRON. 31. 1, 2. as the Lord commanded them.

From all which Precepts and Presidents, is also from JOB 21. 26, 27, 28. EXOD. 22. 20. He that sacrificeth unto any other god save unto the Lord only, HE SHAL BE UTTERLY DESTROYED; that is, by the Magistrates and people, or in their default, by God himself, it is undeniable; that godly Kings and Magistrates under the Law, were by Gods own special command to punish obdinate Idolaters, Apostates, False Prophets and Teachers, who seduced (or endeavored to seduce the people from the ways, truth, and true worship of God, were they Jews or Gentiles, Israelites or Heathens,) with death and capital punishments, to prevent or remove Gods wrath, procure his favor and blessing, and keep others from pollution and seduction, to the ruine of their souls.

Secondly, That they had power to punish Blasphemy and Blasphemers of God even with death, by an expresse Commission from God himself, is as clear as the Noonday Sun, by these ensuing Texts: LEVIT. 24. 10. to 17. And the Israelitish Womanne sonne blasphemed the name of the Lord and cursed; and they brought him unto Moses and put him in ward, that the mind of the Lord might be shewed them: And the Lord spake unto Moses saying, bring forth him that hath cursed without the Camp, and let all that heard him lay their hands upon his head, and let all the Congregation STONE HIM. And thou shalt speak unto the children of Israel, saying, whosoever shall curse his God shall bear his sin: And he

that blasphemeth the name of the Lord **SHAL SURELY BE PUT TO DEATH**, and **ALL THE CONGREGATION SHAL CERTAINLY STONE HIM**: *as wel the stranger, as he that is born in the Land*, **WHEN HE BLASPHEMETH THE NAME OF THE LORD, SHAL BE PUT TO DEATH**. A most punctuall Law, extending to all blasphemers of God and his name, be they Natives or Forraigners, of what sex or quality soever; coupled in the next Verse with this penal Statute, Ver. 17. **AND HE THAT KILLETH ANY MAN SHAL BE PVT TO DEATH**: so that those who at this day question or deny the Magistrates power to put Blasphemers (or grose Hereticks who deny Christs Divinity &c. whose very assentions are direct blasphemies) to death: may upon the self-same grounds, and with equal reason deny the Magistrates power to put Murderers to death: the one Law being as moral, as perpetual, as the other: Yea the equity of that other Law, **EXOD. 21. 17.** and **LEVIT. 20. 9.** *Every one that curseth his father and mother shal SURELY BE PUT TO DEATH; his blood shal be upon him*; must hold more strongly of him that shal curse and blaspheme his heavenly, then his earthy Father; in as much as the one is infinidly greater, and more to be revered, feared, honored, obeyed then the other. This Law was so obligatory and Authentick among the Israelites even in the reign of King Ahab, and Jezebel; that the Nobles and Elders upon Jezebels Letter, and the witnesses testimony suborned by her; *condemned Naboth, for that he did blaspheme God, whereupon they carried him forth out of the City, and STONED HIM WITH STONES THAT HE DYED*, **1 KING. 21. 5. to 15.** Yea the wicked Jews, Elders, and High-priests who put our Savior to death, were so zealous in punishing whatever they reputed blasphemy, by coulor of this precept, that **JOH. 10. 31, 32, 33.** The Jews **TOOK UP STONES TO STONE CHRIST HIMSELF** for **BLASPHEMY** (which they pretended he had spoken) **AND FOR THAT HE BEING MAN MADE HIMSELF GOD**; And at his arraignment before his passion **MAT. 26. 64, 65, 66.** Christ saying, *that he was the Son of God*; thereupon the High Priest rent his clothes, saying, *He hath spoken BLASPHEMY, what further need have we of witnesses? Behold now ye have heard his BLASPHEMIE, what think ye? They answered and said. HE IS GUILTY OF DEATH.* An unanswerable proof, that Blasphemy even in our Saviors time, was a capital crime punishable with death among the Jews: and all by vertue of this forecited expresse Law of God. Those then must be more unjust then Ahab or Jezebel, more impious and lesse zealous then the wicked Jews, High Priests, or Elders who put Christ to death, that dare plead for the exemption of Blasphemers of God, or the Trinity from death and capital punishments, when God himself hath thus positively commanded, *That they shal surely and certainly be put to death.*

Thirdly, For seditious and obstinate pernicious Schismatics from the Unity both of the Church and Faith, though we find no expresse precept in the Old Testament against them; yet we read, that God himself *sent out a fire and devoured Nadab, and Abihu, so that they dyed before the Lord, because they offred in their censors strange fire before the LORD, which he commanded them not*, **LEVIT. 10. 1, 2.** **NUM. 3. 4. C. 26. 60. 1 CHRO. 24. 2.** and that God exemplarily destroyed "and
"made

“made the earth to swallow up Corah, Dathan, and Abiram with their company and families, for raising a publike Schism, NUM. 16. 1. to 41. C. 26. 9, 10. PSA. 106. 17, 18. And such Hereticks and Schismatics as those fall directly within the Verge and meaning of the forecited Texts, against Idolaters, False Prophets, False Teachers, Apostates from the truth or true worship of God, and Blasphemers; Heresie it self (properly so called) being either DOCTRINAL BLASPHEMY or MENTAL IDOLATRY: therefore punishable by godly Princes and Magistrates under the Law, by vertue of the precedent Texts: and so by necessary consequence under the Gospel. As for Schismatics and separate Independent Congregations, the Israelites neither knew nor permitted any, since they *all unanimously met together in one place upon all publick Festivals, Fastings, Passeovers, and other occasions of solemn worship*. from which none ever separated upon pretext that all those present were not visible Saints, and those who separated from the publike ordinances, WERE TO BE CUT OFF; as is clear by EXO. 23. 17. C. 35. 1. 4. LEV. 8. 3, 4. &c. C. 9. 5. C. 16. 33. C. 19. 2. &c. NUM. 15. 24. C. 27. 1. DEUT. 31. 30. C. 5. 1. &c. C. 16. 16. JOSH. 8. 35. C. 23. 2. &c. C. 24. 1. to 28. JUDG. 2. 5. C. 20. 1. to 26. 1 SAM. 7. 3. 5, 6. 1 KING. 18. 1. 2. to 66. 1 CHRO. 13. 1. to 9. C. 15. 3. to 29. C. 25. C. 29. 2 CHRO. 5. 2, 3. C. 7. 3, 4. C. 15. 9. to 16. C. 20. 3, 4, 5. 27. 28. C. 23. 7. 16, 17. C. 24. 9. 10. C. 29. 28. 36. C. 30. 1. to 27. C. 34. 29, 30, 31, 32, 33. C. 35. 1. to 20. EZRA 10. 1. &c. 5. 9. 12. C. 3. 1. NEH. 8. 1. &c. cap. 9. 1. JOEL 2. 15, 16. ZEPH. 2. 1, 2. which I wish all Separatists and Independents would wel study and consider.

My second Argument is this.

Godly Kings and Magistrates under the Law and Old Testament had power to punish Sabbath-breakers, Sorcerers, Witches, Murtherers, Adulterers, Wicked doers, and disobeyers of the Law of God, with temporal and capital punishments. *Argum. 2.*

Ergo. Christian Magistrates and Princes now have power under the Gospel to punish Idolaters, Apostates, Hereticks, False Teachers, obstinate Schismatics and Blasphemers with corporal and capital punishments.

The sequel is firm, because the same reason holds a like in all, and because it is an argument a *Minori ad Maju*; sins against the first second third fourth Commandments (as Divines generally accord) being more hainous then sins against the second Table, because more immediate against the very nature, essence, and name of God himself; and spiritual Sorcerers, Witches, Murtherers, Adulterers (such as all Idolaters, Hereticks, Apostates, False Teachers, obstinate Schismatics and Blasphemers are) being worse and more dangerous then corporal, because they hurt and destroy mens souls, and because the forecited and subsequent texts warrant their punishing of these with death, as wel as those.

The antecedent I shall ratifie by these Authorities; That Sabbath-breakers WERE TO BE PUNISHED by the Civil Magistrate WITH DEATH, is evident by EXOD. 31. 14, 15. NUM. 15. 32. to 37. That Sorcerers and Witches were to be put to death and not suffred to live, is apparant by LEV. 20. 27. DEUT. 18. 10, 11. 1 SAM. 28. 9. That adulterous and incestuous persons were to be put to death by Gods command by the Magistrate, is clear by GEN. 26. 11. C. 38. 24. 25. LEVIT. 8. 6. to 30. C. 20. 10. to 19. C. 21. 9. DEUT. 22. 20. to 28. JOH. 8.

4, 5. That Murderers were to be put to death without mercy, is clearly resolved in direct terms, GEN. 9. 5, 6. EXOD. 21. 12, 13, 14. LEVIT. 24. 17. NUM. 35. 15. to 35. 1 KING. 2. 31. to 35. In fine; godly and zealous King David, a man after Gods own heart, writes thus of himself; PSAL. 131. 8. *I wil early destroy ALL THE WICKED of the Land, that I may CUT OFF ALL WICKED DOERS FROM THE CITY OF THE LORD.* If David then as a King (yea a type of Christ) would thus destroy and cut off with the sword of Justice all the wicked of the Land, and all wicked doers from the City of the Lord; then certainly he would cut off and destroy all Idolaters, Apostates, Hereticks, False Teachers, Blasphemers and obstinate Schismatics who disturbed the tranquillity, and obstructed the felicity of the City of the Lord. And why all Christian Princes, Magistrates, should not do the like under the Gospel, as he did under the Law; and punish Idolaters, Hereticks, Apostates, Blasphemers, &c. now with corporal and capital punishments, as well as Sorcerers, Murderers, and other Malefactors, as yet transcends my understanding to conceive.

My third Argument follows.

Argum. 3.

Those things, and Persons which Heathen Kings, Magistrates, Nations and Idolaters themselves, by the very light of nature, though fit to punish with corporal and capital punishments; all Christian Kings, Magistrates, Nations, ought much more to censure in this kind.

But Heathen Kings, Magistrates, Nations, and Idolaters themselves, by the very light of nature, have thought fit to punish with corporal and capital punishments, such as adored not those Idol-gods which they worshipped and reputed for the true; and such as they deemed Idolaters, Apostates, Hereticks, Schismatics, Blasphemers, and open Rebels against God.

Therefore Christian Kings, Magistrates, Nations under the Gospel, ought much more to do it.

The Major is evident by its own light, and ratified by ROM. 2. 14, 15. The Minor I shall make good by Scripture testimonies. I shall begin with King Artaxerxes his Commission to Ezra, c. 7. 15, 26. *And thou Ezra after the wisdom of thy God, that is in thine hand, set Magistrates and Judges which may judge all the people which are beyond the river; all such as know the Law of thy God: And whosoever * WIL NOT DO THE LAW OF THY GOD, and the law of the King, let judgement be executed speedily upon him, WHETHER IT BE TO DEATH, OR TO BANISHMENT, OR TO CONFISCATION OF GOODS, OR TO IMPRISONMENT.* Shall a meer Heathen King be so zealous as to enjoin the Judges and Magistrates under him, to inflict these corporal and capital censures upon such as *wil not do the Law of God*; in which number all Idolaters, Apostates, Hereticks, Blasphemers, &c. are included; and shall not Christian Princes, Magistrates, Judges much more exceed him in their zeal and justice against such transgressors of Gods Law? But that Decree of Nebuchadnezzar against blasphemers of God, is more emphatical, and pathetical: DAN. 3. 28, 29. *Then Nebuchadnezzar spake and said, blessed be the Lord God of Shadrach, Meshach, and Abednego, who hath sent his Angel and delivered his servants that trusted in him &c. Therefore I make a Decree, that*

* See the 1
Esd. 8. 23, 24.

that every people, nation, and language WHICH SPEAK ANY ERROR (or any thing amisse) AGAINST THE GOD of Shadrach, Mesbath, and Abednego, SHAL BE CUT IN PEECES, and THEIR HOUSES SHAL BEE MADE A DUNGHIL, because there is no God that can deliver after this sort, If this Pagan King out of his transcendent zeal, upon the sight but of one miracle, was stirred up without any debates or delay, to make such a severe decree as this, against all those of every people, nation, and language that did speak any Error or Blasphemy against the true God, whom these three worthies then, and we now worship: shal not this decree of his rise up in Judgement against all those Christian Princes, Parliaments, Magistrates, Judges under the Gospel, who profess themselves the worshippers, servants, children of this true God; and yet shal refuse, or neglect to make such stricke and severe Decrees against such Hereticks and Blasphemers, who maliciously belch out most execrable blasphemies, and Errors against God himself, and openly maintain them in discourse and writing? but especially against those who pretend and stile themselves the ONLY SAINTS and SERVANTS OF GOD (how truly let this one act alone declare) who professedly plead, preach, and write against the Corporal and Capital Punishment of such damnable Hereticks, Blasphemers, and the enacting of any severe Laws against them by the Parliament and civil Magistrates, when as this Pagan King by his Decree commanded such, to be instantly cut in peeces and their houses to be made a dungbill, without any pity or pardon? Were Pagan Nebuchadnezzar now alive amongst us, he would new heat his Fiery Furnace to warm the key-cold frozen zeal of such heartlesse New-Lights, and zeal-lesse Saints as these; or shame them into an emulation of his zeal against such Hereticks and Blasphemers.

I shal close up this with that saying of * *Augustine* recorded by * *Gratian*:

Quando vult Deus concitate potestatem adversus Hereticos, adversus Schismaticos, adversus dissipatores Ecclesie, adversus exsufflatores Christi, adversus Blasphematores Christi, blasphemii non mirentur, quia Deus concitat ut a Sara verberetur Agar; cognoscat se Agar, supponat cervicem, &c. Ad hoc ergo affligitur ut revertatur.

Nebuchadnezzar Rex decrevit, dicens; Quicumque dixerint blasphemiam in Deum Sidrac, Misac, & Abednago, in interitum erunt, & domus eorum in dispersione. Ecce quomodo Rex alienigena sevit, ne blasphemetur Deus Israel, qui potuit tres pueros de igne liberare, & noluit ut sevirant Reges Christiani quia Christus exsufflatur, a quo non tres pueri, sed totus orbis terrarum, cum ipsis regibus a gehennarum igne liberantur? Quomodo ergo isti reges non moveantur, qui non tantum tres pueros attendunt liberatos de flamma, sed sciplos de flamma Gehennae, quando vident Christum, a quo liberati sunt, confossi a Christianis? quando audiunt dici Christiano, dic te non esse Christianum? Talia facere volunt, sed talia pati noluunt. Nam videte qualia faciant, & qualia patiuntur: occidunt animas, affliguntur in corpore: sempiternas mortes faciunt, et temporales se perpetui conquerrunt.

So in the 1 *ESDRAS* c. 6. 23. to 34. It is recorded, that King Cyrus and Darius by their Royal Decrees commanded the Temple of Jerusalem to be built unto the Lord, and offerings and prayers to be there made to the most high GOD for

* Super Joannem Tract. II.

* Causa.

23. qu. 4. fol. 410.

for the King and his children; and commanded that whosoever should transgresse, yea or make light of any thing afore written, out of his own house should a tree be taken, and **HE THEREON TO BE HANGED** and **ALL HIS GOODS TO BE SEISED FOR THE KING**. O the transcendent zeal of these Heathen Princes against the obstracters, or oppugners of Gods true worship! and shal not Christian Kings and Magistrates be as zealous against Hereticks, Blasphemers, Schismaticks, Seducers, Idolaters, who oppugn, corrupt his truth, and withdraw men from his worship?

I proceed to Presidents of another Nature.

We read **JUDG. 6. 28. to 32.** That when Gideon in the night time had thrown down the Altar of Baal, and cut down the Grove that was by it, in Ophrata; the men of the City (who worshipped Baal) said one to another, who hath done this thing? and when they had enquired and asked, they said, Gideon the son of Joash hath done this. Then the men of the City said unto Joash, bring out thy son **THAT HE MAY DYE, BECAUSE HE HATH CAST DOWN THE ALTAR OF BAAL, because he hath cut down the Grove that was by it.** Whence it is evident, that these very Idolaters deemed this afront to their Idol-god, whom they beleaved, adored as the true, to be no lesse then a capital offence, deserving death: So in the **1 KING. 18. 13. c. 19. 2. 10. 14.** and **ROM. 11. 3. 4.** we find, that Idolatrous Queen Iezabel who worshipped Baal as the true God, and drew Ahab her husband and his subjects to her Idolatry, did slay the Prophets of the Lord with the sword, and threw down his Altar, and seek the Prophet Elijahs life, who was enforced to flie to save it, because shee deemed him and the Prophets she slew to be Hereticks, False Prophets, Blasphemers, Opposers of her Idol-Baal, and his Idolatrous worship, then generally received as the true, So **DAN. 3. 1.** When King Nebuchadnezzar erected an Image of gold, as his god, which he made choyce of for him and all his people to worship, he made a publike Proclamation by an Herald, that all people, nations, and languages assembled to its dedication, should fall down and worship this golden Image, and that who so fell not down and worshipped it, **SHOULD BE CAST INTO A BURNING FIERY FURNACE,** And for disobeying this Proclamation, Shadrach, Meshach, and Abednego were cast into his furnace as Malefactors: Thus **ACTS 16. 16 to 35.** The Idolatrous people of Thyatira, after that Paul and Syllas had preached against their Idols, and dispossessed the damosel there possessed with the spirit of divination, rose up against Paul and Syllus and caught and brought them to the Magistrate, saying; These men being Jews do exceedingly trouble our City, and teach customes which are not lawful for us to receive nor observe, being Romans: whereupon the Magistrates rent their clothes and commanded to beat them, and when they had layd many stripes upon them, they cast them into prison, charging the goaler to keep them safely; who having received such a charge, cast them into the inner prison, and made their feet fast in the stocks: reputing them Hereticks, Schismaticks, Opposers of their false Deities and Religions: So **ACT. 19. 21. to 46.** Demetrius the silver-smith, who made shrines for Diana, stirred up the people at Ephesus against Paul and his Associates by these speeches. Moreover ye see and hear, that not alone at Ephesus but almost throughout all Asia; this Paul hath perswaded and turned away many

many people, saying, that they be no gods which are made with hands; So that no only our craft is endangered to be set at naught, but also that the Temple of the great goddesse Diana should be despised, **AND HER MAGNIFICENCE SHOULD BE DESTROYED**, whom all Asia and the World worshipping. And when they heard these sayings, they were full of wrath, and cried out, saying, Great is Diana of the Ephesians; And the whole City was filled with confusion; and having caught Gaius and Aristarchus, Pauls companions in travel, they rushed with one accord into the Theatre, (and no doubt would have murdered them, and Paul too, could they have caught him) as **BLASPHEMERS** of their Goddesse, had not the Town-Clerk appeased the multitude, and told them, the matter should be decermined in a lawful assembly: So the Jews, out of their blind zeal, stoned Stephen as an Heretick and false Teacher, for reproving them, for persecuting and slaying the Prophets, who had shewed before of the coming of the Holy One; of whom they had been the betrayers and murderers, **ACT. 7. 7.** Thus Paul before his conversion, out of the like fall zeal, made havock of the Church, entring into every house and hailing men and women, committed them to prison: And yet breathing out threatnings and slaughters against the Disciples of the Lord, he desired letters of the High Priest to Damascus, to the Synagogues, that if he found any of this way man or woman, he might bring them bound unto Jerusalem, **ACT. 8. 1. 3. c. 9. 1, 2.** Yea, he did shut up many of the Saints in prison, and when they were put to death, gave his voyce against them, and punished them oft in every Synagogue, **ACT. 26. 9, 10, 11. 12.** Thus the seduced Jews out of a blind zeal apprehending Paul to be an Heretick and Schismatick, **ACT. 21. 28, 29. &c.** stirred up all the people and laid hands on him, crying out, Men of Israel help, this is the man that teacheth all men every where against the people, and the law, and this place; and farther, brought Greeks into the Temple, and bath polluted the holy place; And all the City was moved; and the people ran together, and they took Paul and drew him out of the Temple and beat him; And as they were about to kill him, tydings came unto the chief Captain of the band, that all Jerusalem was in an uproar: Who immediately took Souldiers and Centurions and ran down, and took Paul and commanded him to be bound with two chains, and brought him into the Castle; After which he was brought before the Councel, accused before Felix by the Jews and Tertullus, for a mover of sedition among the Jews throughout the World, and a ring-leader of the Sect of the Nazarens, whom they took and would have judged according to their law, but that the chief Captain Lysias rescued him out of their hands, **ACT. 24. 5, 6, 7.** and all this for worshipping God after the way which they called **HEREST**, **ACT. 24. 14.** So **ACT. 12. 1, 2, 3, 4.** we read, that Herod the King stretched out his hand to vex certain of the Church, and **KILLED** James the brother of John with the sword, and took and imprisoned Peter too, intending after Easter to bring him forth to the people: Yea our Saviour himself tells his Disciples **JOHN 16. 2.** The time cometh that **WHOSOEVER KILLETH YOU** shall think he doth **GOD GOOD SERVICE**: as the Pagan Roman Emperors, and other Heathenish Princes, Magistrates, Nations, did in the Primitive persecutions, recorded in all ancient and modern Ecclesiastical histories. Now, what was the group of **Nekuchadneggers**, and

a See Eusebius
de vita Con-
stantini, li.
c. 31. 45. to
52. 2. c. 1. 5. 7.

these other Pagan Idolaters: and seduced Jews corporal Censures, and capitall Proceedings against the Servants, Apostles and Saints of God, but this? they deemed them Hereticks, false Teachers, Opposers, and Blasphemers of their Idol-gods, and false Religions, which they embraced, beleaved as the true:

^b Cic de natura
Deorum c. 1.
Cælius Rhodig.
Antiq. Lect.
l. 22. c. 1.

“For as the very light of Nature instructs ^b all Nations that there is a God, and “instigates them to elect and adore some Deity or other as their God and Savior: So it farther instructs them, that that Deity they adore, and that Religion they imbrace is no ways to be openly blasphemed, reviled, oppugned, condemned, under pain of the most severe capital punishments, because such offences against the supreamest Majesty of God transcend any Treason against an earthly Sovereign: whence most Laws and Nations have made them capital, and by the light of Nature in all ages punished such whom they esteemed Atheists, Hereticks, Blasphemers of their gods, or oppugners of their established Religion, with no lesse then capital Punishments and the severest Censures, as is evident by these Scripture instances, and sundry other. Hence is that notable

^c De Benefi-
ciis l. 3. c. 6.

saying of ^c Seneca. *Violatarum Religionum alibi atque alibi diversa pœna est; SED UBIQUE ALIQUA*; as wel as of homicide, parricide and poysoning: Hence the Philosopher Plato in his 10. Book de *Legibus*, condemns those to be put to death, who are Violaters, or Corrupters of Religion: Hence the *Amphictions* by the advise of ^d Solon, raised a War against the Tirthæans for offering violence to the Temple of Delphos; and Philip of Macadon levyed War against the Phocians for their Sacriledge, in spoiling the Temple of Delphos,

^d Plutarchi
Solon.

^e Hist. lib. 8.

quod orbis viribus expiari debet, writes ^e Justin. This War continued eleven years, til all who were guilty of this Sacriledge were utterly destroyed, which

^f Diodorus Sic.
Bibl. Hist. lib.
16. sect. 14. &c.

Demophilus and *Diodorus Siculus* titled, ^f *Bellum Sacrum*, an holy War, because waged in defence of Religion (though Idolatrous) to punish the con-

^g Hist. lib. 1.

temners of it: Yea this was one cause of the *Poloponesian* War between the *Athenians* and *Lacedæmonians*, as ^g *Thucydides* and *Grotius* record: who assert,

^h De jure
Belli. l. 2. c.
20. sect. 51.

Justius illi punientur, qui in eos quos Deos putant irreverentes atque irreligiosi sunt. Hence the ^h *Athenians* banished *Protagoras* out of their City and

ⁱ Cælius Rho.
Antiq. Lect.
l. 22. c. 1.

territories, and burned his Books in a publick assembly, because he had written in the beginning of his Book, *De diis neque ut sint, neque ut non sint habeo dicere*.

^j Diogen. Laert.
l. 1. & Cic. de
Natur. Deo-
rum, l. 1.

Hence ⁱ *Antiochus* attempting to rob the Temple of *Dodona* in Syria, was to-

^k Justin. Hist.
p. 269. See p.
227.

gether with his whole army slain by the Inhabitants. Hence we read in ^k *Ælian*

^l Variæ Hist.
l. 5. c. 16.

of a child condemned to death for Sacriledge and offering injury to the Heathen

^m Hist. l. 1. p 16

Goddess *Diana*, in taking away a Golden Plate, which had fallen from her

ⁿ Numa Pom-
pilius fol. 21.

Crown. And upon this ground *Numa Pompilius* (as ^k *Livy*, ^l *Plutarch*,

^o Antiq. Rom.
lib. 1.

and *Dionysius Halicarnassensis* record) instituted a *Pontifex Maximus* (or

^p Tit. Liv.
Hist. l. 4. p.
162.

chief Priest at Rome) *eique omnia exscriptæ exsignataque attribuit, quibus hostiis,*

quibus diebus, ad quæ templa sacra fierent, &c. Pontificiis scitis subjecit, ut esset

quo consultum plebs veniret, ne quid divini juris negligendo Patrios ritus, PÆ-

REGRINOS-QUE asciscendo, turbaretur; & ne quid præter LEGITIMA

fiat: And upon the like reason, when the Romans in the time of ^m *Manlius*

had their bodies infected with diverse diseases, and their minds with manifold

erroneous Religions and Superstitions; this publick Shame coming to the know-
ledge of the chief of the City, *Cernentes in omnibus vicis sacellisque peregrinos*
atque

atque insolita piacula pacis Deum exposcenda; they thereupon commanded the *Ediles* to take care, *Ut animadverterent, ne qui, nisi Romani Dii, NEV QUO ALIO MORE QUAM PATRIO COLERENTUR*, to preserve Uniformity and avoyd all Innovations in their publike worship, which they deemed true: Whence I conclude, that what Pagan Kings, Magistrates, Nations have usually punished with corporal, or capital punishments, and restrained by Civil Laws in all ages out of the light of Nature; that Christian Kings, Magistrates, and Nations under the Gospel may lawfully punish in like fort, even by the principles of Nature too, had they no other Divine Law to warrant them, as they have: 'Tis true, most of these erred in the object, in deeming that Heresie, Schism, Blasphemy, Error, which was not; not in the punishment, had the object been such as they really deemed it, and such as we here dispute of.

My fourth Argument is this:

God hath prophecyed, That Idolaters, Hereticks, and False Prophets under the Gospel shal be put to Death. *Argum. 4.*

Therefore Christian Kings and Magistrates under the Gospel, may lawfully put them to death, else these Prophesies should be frustrated and not fulfilled.

The Antecedent I have already made good in part from DEUT. 18. 15. to 21. (which relates to the times of the Gospel), *But the Prophet which presumes to speak a word in my name, which I have not commanded him to speak, or that shal speak in the name of other gods, EVEN THAT PROPHET SHAL DYE*: to wit, by the sword of Justice; which is thus repeated, ACT. 3. 22, 23. *And it shal come to passe, that every soul that wil not hear that Prophet SHAL BE DESTROYED FROM AMONG HIS PEOPLE*: even under the Gospel, as wel as under the Law; either immediately by the hand of God himself; or mediately by the Civil Magistrate and Sword of Justice, as "The despisers of Moses Law were to be destroyed; HEBR. 10. 28, 29. compared with this text: Whereto I shal now subjoyn ZECH. 13. 1, 2, 3, &c. which speaking thus of the time of CHRIST and of his passion: *In that day shall a fountain be opened to the house of David for sin and for uncleanness: Awake O sword against my shepherd, and against the man that is my fellow; saith the Lord of hosts: Smit the shepherd and the sheep shal be scattered &c.* (applied to Christ and the times of the Gospel in the New Testament, MAT. 26. 32. MARK 14. 27. 1 PET. 1. 6, 7.) he adds, *And it shal come to passe IN THAT DAY* (of the *Gospel) *saith the Lord of hosts, I wil cut off the names of Idols out of the Land, and they shal no more be remembred; and also I wil cause the Prophets and unclean spirits to passe out of the Land; And it shal come to passe that when any shal yet prophesie, that HIS FATHER and mother which begat him, shal say unto him, THOU SHALT NOT LIVE, FOR THOU SPEAKEST LYES IN THE NAME OF THE LORD: and his FATHER and his Mother that begat him, SHAL THRUST HIM THROUGH WHEN HE PROPHESETH: And it shal come to passe in that day, that the Prophets shal be ashamed every one of his vision when he hath prophesied, neither shall hee wear a rough garment to deceive.*

See Gualther in Locum, & Hom. 44. in Epist. ad Gal. fol. 121.

* This Master
Broughtshim
self confesseth,
in his *Hearts di-
visions*, p. 20. 21

i De vita Con-
stantini l. 2.
c. 18. 43. 44.
l. 3. c. 52. to
57.

This Prophecy relates * wholly to the times of the Gospel: The first part there- of concerning the destruction of *Idols and Idolaters*, was in part fulfilled by the Apostles and others preaching, and by *Constantine the great* his subverting of all *Idols Temples, Groves, Statues*, by his enacting *Laws* against their worship, and putting *Lycinius* and his complices (*qui praelii CONTRA DEUM SUSCIPIENTI auctores fuerunt*) to death, being first condemned by Martial Law, for waging war against God and the Christians, as we may read at large in *Ensebins*. The latter part concerning *Hereticks and false Prophets*, who speak lyes in the name of the Lord, relates likewise to the times of the Gospel: wherein two things are considerable; First, their judgement and punishment; *Thou shalt not live; and they shall thrust him through when he prophesieth*: A capital sentence and execution, to the very taking away of their lives. Secondly, The parties who are to pronounce and execute this Judgement; *his Father and Mother that begat him*: (an expression borrowed from *Deut. 13. 6, 7, 8, 9.*) This may have a threefold interpretation: First, *His natural Father and Mother* shal do it, if living, upon lawful conviction before the Christian Magistrate. Secondly, *His (civil or Ecclesiastical Father and Mother* (especially if his natural Parents be dead) to wit, the Christian Magistrate, Church, and people where he liveth. Thirdly, his very *nearest, dearest friends and kindred*, who must cast aside all affection in the cause of God. And this part of the Prophecy was fulfilled under the Gospel, by the many godly Laws of Christian Emperors, Kings, States in all ages, for the punishing of Hereticks, and seducing false Teachers with Banishment, Imprisonment, Burning, Death, and other corporal censures, of which more anon.

Thirdly, the good effect of these corporal censures and punishments upon Idolaters, Hereticks, and False Prophets, is thus expressed in the Text. First, *The name of Idols shall no more be remembered*. Secondly, *The false prophet and unclean spirit shall passe out of the Land*. Thirdly, *Every other false prophet shall be ashamed of his vision, and no more wear a rough garment to deceive*, but give over his false Teaching. So that the Magistrates and others severe proceedings by corporal and capital censures against Idolaters and False Prophets, is a principal means predicted and ordained by God even under the Gospel, to extirpate Idolatry, Heresie, Errours, False Prophets, and reclaim such as have been seduced by them. I wonder therefore how any man who pretends himself a Christian, a SAINT, much more a transcendent NEW LIGHT, should dare publicly oppose or privately deny the exercise of such corporall and capitall censures against Hereticks, False Teachers, Blasphemers, &c. by Christian Princes and Magistrates under the Gospel (which this prophesie so plainly both allows and prescribes) upon meer whimsicall crotchets of their own, warranted by no text. We read *Josh. 1. 18. That the officers of the people, with the Reubenites, Gadites, and half tribe of Manasseh* spake thus to *Joshua*, when God had appointed him to succeed *Moses* in the Government, *Whosoever he be that doth rebel against thy Commandment, and will not hearken unto thy words, so do all that thou commandest him, HE SHALL BE PUT TO DEATH*. If he who thus wilfully rebelled against the command of *Joshua*, was to be put to death, by the verdict of all the people, much more then may such Idolaters,

Idolaters, Hereticks, Apostates, Blasphemers, and obstinate Schismatics be put to death; who rebell so publicly against the Command and Word of God himself, by warrant of all the forecited Texts.

But some perchance wil object that these Arguments are all drawn from *Object.* texts in the Old Testament to satisfie them.

I answer, that all the Texts forecited are stil in force under, and some of *Ans.* them relate only to the times of the New: and so the objection is but frivolous, yea exceeding derogatory to the Old Testament, of which it seems they make no more account *then of* * *an old Almanack out of date.* Therefore to take a way this cavil, (*formerly Answered) I shal propound this fifth Argument.

* See Mr Edwards Gangra, part. 2. p. 162.

* Page 2. 3. Argum. 5.

Apostacy, Idolatry, Heresie, Blasphemy, obstinate Schism, False Teachers, together with false Prophets, who are guilty of them, are as odious unto God, as execrable to all godly Christians, as infectious, dangerous, destructive to peoples souls, as apt to provoke Gods wrath, and bring down his severe judgements upon whole Churches, Nations, Kingdoms, where they are tolerated, perpetrated, and are as carefully to be suppressed, prevented under the Gospel, as they were under the Law: Yea Christian Princes, Magistrates, Republicks power under the Gospel is the same, or as large as the authority of godly Kings and Magistrates under the Law.

Therefore consequently they are to be as severely punished with corporal, if not capital punishments under the Gospel by Christian Princes, Magistrates, Republicks, as they were by godly Kings and Magistrates under the Law.

The sequel is clear from its own light; for where there is the self-same reason, there is ever the self-same law and equity, both under the Law and Gospel. See *Mat. 7. 11, 12. Luke 6. 30. to 35. Jam. 2. 10, 11.* as I have formerly proved, p. 2. 3. 5.

The Antecedent is undeniable: First, because the Gospel doth no ways mitigate, but rather aggravate the hainousnes of these sins, as being committed against greater light and mercy; therefore certainly they are as odious, as provoking unto God, as execrable, damnable, destructive unto men, as pernicious unto whole Churches, Nations, Kingdomes now, as then, and in some sence more now, then formerly under the Law, as is clear by *Rom. 1. 18. to the end, 1 Cor. 6. 9, 10. cap. 10. 7. 9. 11. Gal. 3. 19, 20, 21. Eph. 5. 5, 6. 2 Cor. 6. 14, 15, 16, 17, 18. Heb. 2. 2, 3. cap. 6. 4. to 9. cap. 10. 16, 27, 28, 29. 2 Pet. 2. 1, 2. 12, 13, 17. Rom. 3. 10. to 28. Rev. 2. 14, 15, 21, 22. cap. 17. 16. c. 18. 4. c. 19. 20. compared together.* Secondly, because that Hereticks, False Prophets & Teachers, Schismatics, Seducers, are as diligently to be avoyded, suppressed under the Gospel, as Law, they being alike, nay more infectious, dangerous, *seducing and pernicious to mens souls now, then under the Law,* as is apparent by all these serious admonitions to beware of them and their seducements, which deceive the greatest part of the world, and if possible would seduce the very Elect, as you may read at leisure in these ensuing texts, *Mat. 7. 15. cap. 21. 14. cap. 24. 11, 23, 24, 25. Mar. 13. 21. Luke 17. 23, 24. Rom. 16. 17, 18. Acts 20. 28. to 32, 2 Thes. 2.*

3. to 16. EPH. 6. 13. to 19. PHIL. 3. 2. COL. 3. 18, 19. 1 TIM. 4. 1. to 7. 2 TIM. 2. 15. 16, 17. C. 3. 1. to 10. TIT. 1. 9. to the end. HEB. 4. 1. 1 PET. 5. 2. 8. 2 COR. 11. 13, 14, 15. 2 PET. 2. 1. to 22. C. 3. 2, 3. 17, 18. 1 JOH. 2. 18, 19. C. 4. 1, 2, 3. 2 JOH. 8. to 12. 3 JOH. 10. 11. JUDE 3. to 24. REV. 13. 1. to 18. C. 16. 13, 14. C. 17. throughout. cap. 18. 9. to 24. C. 19. 20. C. 20. 8. 9. 10. 1 COR. 11. 19. TIT. 3. 10, 11. These notable Texts so frequently, so earnestly admonishing us "to beware of Antichrists, Hereticks, False Teachers, "Wolves, in sheeps clothing, as also forewarning us of their extraordinary diligence, power, cunning, stratagems to deceive and seduce men to their damnable Errors; of the multitudes of men they shal seduce; and of "the extraordinary perilousnesse of the last times under the Gospel, when many more erroneous "spirits and seducing Hereticks (transforming themselves into the Angels of light) "should arise and spring up every where, then did in all former ages under the "Law, (where we read of no such * variety of Heresies, Blasphemies, Errors, and dangerous Schisms as have sprouted up and over-spread the whole world under the Gospel) is an unanswerable Argument to satisfie all mens consciences, who have any care of their own or others souls, that not only all godly Ministers, and Christians, by instruction, and admonition, but all Christians Princes, Magistrates, States, by severe Laws, yea corporal and capital Censures, where need is, should more diligently suppress and cut off Heresie, Hereticks, False Teachers, Blasphemers, obstinate Schismatics, and Apostates, under the Gospel, then ever godly Magistrates, Princes, People did under the Law, when these were not so dangerous, so numerous, so contagious, and pernicious, as now: For as God in the Old Testament is most copious in admonishing men, to beware of Idolatry, and such False Prophets, and Idolaters, who would seduce them to worship Idol-gods, which then abounded; and as godly Princes, Magistrates were then most diligent in punishing Idolaters and seducers, even with death, according to Gods Law, which frequently enjoyns them to punish such with death, because the sin of Idolatry (which then over-spread the heathen world) was at that time most common, most dangerous, and that to which Gods own people most frequently revolted by reason of the multitudes of Idolaters round about them; of the many strong enticements, and their own proneness thereunto. So upon the like reason, the New Testament is far more frequent in exhorting Christians under the Gospel to beware of Hereticks, Schismatics, and False Teachers, then of Idolaters; and of Heresie and Errors in Religion, then of Idolatry, because Idolaters under the Gospel (when most Idolatrous Nations should be converted, and the vanity, the false-hood of Idolatry fully discovered) should be nothing so dangerous, so infectious, so numerous, so diligent and cunning to seduce men as Hereticks, Schismatics, False Teachers; and Idolatry, nothing so apt to seduce men to it as heretical and erroneous Tenets, which have a more specious shew of truth, and greater colour of warrant from the Scriptures, then Idolatry. Wherefore godly Kings, Magistrates, States should be more severe and vigilant against obstinate Hereticks, Seducers, False Teachers, Heresie, &c. then against professed Idolaters or Idolatry, wherewith their people are seldom endangered, seduced; and the many reiterated Caveats against them in the Gospel, will warrant them to proceed against such as capitally, as severely under the Gospel, as godly Magistrates and Princes

* See Epiphanius, Irenaeus, Augustin, Alfonso de Castro and others, Advers. Hæretes.

Princes proceeded against Idolaters and False Teachers under the Law. That Christian Kings, States, Magistrates, under the Gospel, have the self-same Power and Commission as godly Kings, States, Magistrates had under the Law, I have formerly manifested, and is undeniably proved by * ROM. 13. 1. to 6. 1 TIM. 2. 1, 2. * See Gualther Hom 76, in Epist. ad Rom. TIT. 3. 1, 2. 1 PET. 2. 13, 14, 15. compared with 2 SAM. 23. 3. 1 KING. 10. 9. PSAL. 101. 8. PSAL. 78. 71, 72. ISA. 16. 5. C. 32. 1. PROV. 20. 2. 8. 20. C. 24. 21, 22. C. 25. 5. C. 29. 4. 16. and other texts. Yea it is a Maxime under the Gospel as well as under the Law, *That a right hand must be cut off, and a right eye pulled out, or any member (especially the corrupt Members of a Christian Church or State) destroyed by the Magistrate, rather than the whole body infected, endangered, destroyed,* MAT. 5. 29. 30. C. 18. 8. MARK 9. 45. JEH. 11. 50, 51, 52. C. 18. 14. ROM. 5. 7, 8. GAL. 5. 12. "As therefore pious Kings and Magistrates under the Old Testament might lawfully cut off one or more Idolaters, Seducers, Blasphemers Apostates, to preserve the whole Church and State from destruction, infection, ruine, and avert Gods wrath, DEUT. 7. 2. 4. C. 13. 7. 9, 10, 11. 15, 16, 17. NUM. 16. 26. C. 25. 4. to 14. So by like reason may Christian Kings, States, Magistrates under the Gospel cut off rotten Hereticks, Seducers, Blasphemers, and the like putred Members from the body of their Churches and States by capital punishments, to ward off Gods Judgements from the rest; as well as Traytors, Murtherers, Theeves, and other Malefactors, as the fore-quoted texts, together with the 1 COR. 5. 6, 7. 13. ROM. 13. 3. 4. fully evidence.

But lest this should not fully satisfy, I shal next proceed to Arguments drawn from the New Testament only, wherein I shal thus argue in the sixth place.

Argum. 6.

Magistrates, Kings, Rulers, and the Higher powers under the Gospel it self

"are ordained, continued by God and men for this very end among others,
 "to be a terror to evil doers and workers; to be Gods Ministers, Avengers
 "to execute wrath upon them that do evil, and not to bear the sword
 "in vain, being sent FOR THE PUNISHMENT OF EVIL
 "DOERS: Nay, Christians themselves are to obey, submit unto
 "them, and injoyed to pray for them, that under them they may live a
 "peaceable life IN ALL GODLINESS and HONESTY,
 "they being the Ministers of God for their good, ROM. 13. 1. to 6. 1
 PET. 2. 13, 14. TIT. 3. 1. 1 TIM. 2. 1, 2, 3. Yea Christ himself com-
 "mands his disciples when they should be brought before them, nay
 "SCOURGED, KILLED and PUT TO DEATH BY
 "THEM, not to dispute their power, as some do now, but to submit
 "unto it (as he did to Pilates) MAT. 10. 17, 18. 21. LUK. 22. 12. 17.
 "JOHN. 16. 2, 3. Upon which grounds, Paul being brought before
 "Festus, Felix, & Agrippa, and accused by the Jews of HERESY, stirring
 "up of sedition among the Jews throughout the world, teaching against
 "the Law, and defiling the Temple, justified himself, and denyed these
 "accusations, but demurred not to their Jurisdiction; using this notable
 "speech, ACT. 25. 10. IF I BE AN OFFENDOR, OR HAVE COM-
 MITTED ANY THING WORTHY OF DEATH, I REFUSE
 NOT TO DYE: BUT IF THERE BE NONE OF THESE
 THINGS.

THINGS VVHEREOF THEY ACCUSE ME, NOMAN MAY DELIVER VNTO THEM, I APPEAL VNTO CÆSAR: Where Paul appeals not from, but to the Supream Civil Magistrate from the Jews, even in a case of Religion, yea of Heresie, Schism, Superstition, as it was then accounted; not refusing to dye, IF HE HAD DONE ANY THING VVORTHY OF DEATH, and were guilty of this charge.

Therefore by these Gospel Texts and Presidents, Christian Magistrates, Kings, Rulers, and the Higher Powers under the Gospel, have right to inflict corporal, pecuniary, and capital Punishments upon notorious dangerous Idolaters, Apostates, Hereticks, Blasphemers, False Teachers, and obstinate Schismatics, who are *evil doers* in the highest degree, dishonoring and blaspheming God, undermining Religion, subverting the faith of many, bringing upon themselves and others swift damnation; disturbing the Peace, Order, Doctrins of the Church, and bringing down Gods Wrath, Judgements on the Churches, States, Kingdoms wherein they live, and destroy the very flock and faith of Christ as much as in them lies, Rom. 16. 17, 18. Gal. 5. 19, 20, 21. Phil. 3. 2, Mat. 7. 15: cap. 23. 14. 26. 27. 28. Acts 20. 29, 30. 1 Tim. 4. 1, 2. 2 Tim. 2. 17. 18. Tit. 3. 10, 11. 2 Pet. 2. 1, 2, 3. Rom. 1. 18. to the end. Revel. 2. 15. to 24. 1 Cor. 5. 6, 7. 13. Heb. 12. 15.

I suppose our Oppositors are not so impudent to deny, but that Christian Princes, States, Magistrates under the Gospel may punish Traytors, Murderers, Theeves, Witches, and other Idolaters, with corporal and capital punishments, because they are *evill doers*; even by vertue of the forecited Texts; then by the self-same reason they must likewise punish all obstinate seducing Hereticks, Blasphemers, Schismatics &c. with the self-same punishments, who are guilty of High Treason and Blasphemy against God himself, the Father, Son, Spirit, Gospel, Christian Faith; Destroyers, Murderers of mens very souls; and greater disturbers of the States and Churches wherein they live, then any Theeves, Felons, Witches. Can any rational Christian think, that God would so severely punish Idolaters, Blasphemers, and seducing Prophets under the Law with *inexorable death*; and yet let them and Hereticks scape unpunished under the Gospel, * *there being no variableness nor shadow of turning in him*? That he would appoint Magistrates to punish only the smallest offences between man and man, and not to correct and punish the most heinous offences and Treasons against himself, being his own * *Avengers, Ministers, Vicegerents*? Would it not be deemed a grand absurdity in earthly Kings and Princes, to give their Judges power only to enquire of, and punish offences against their Subjects, but not at all to enquire after, or punish Treasons, Conspiracies, and Rebellions against their own Persons, Crowns, Kingdoms? and shall wee deem the most wise and just God guilty of such a Solecism? Doubtless, as God himself under the Old Testament commanded Idolaters, Blasphemers, Seducing Prophets, and Achan himself to be stoned to death by all Israel, and after that burnt with fire, for breaking his covenant, and meddling with the accursed thing; and thereby troubling and bringing Gods wrath upon all Israel, so as they fled and fell before the men of Ai; Josh. 7. 25. 27. So by the like reason, justice, equity

* Jam. 1. 17.

* Rom. 13. 3, 4.

equity, commands Christian Princes, Magistrates and people under the Gospel, to punish obstinate Heretickes, Idolaters, Blasphemers, False Teachers, and pernicious Schismatics, who dishonor his name, despite his Spirit, subvert his Truth, corrupt, seduce and destroy others, trouble the States and Churches wherein they live, and bring Gods wrath upon them, with like capital punishments, when milder remedies will not prevail; and these recited Texts will be a sufficient Commission to justifie such their proceedings; as all the subsequent Authors as wel ancient as modern, Protestants as Papists, assert.

My seventh Argument shal be from our Saviors own words *Math. 12. 31, 32.* *Argum. 7*
Whosoever speaketh a word against the son of man it shal be forgiven him, but whosoever speaketh against the Holy Ghost, and the BLASPHEMY against the Holy Ghost, SHAL NOT BE FORGIVEN IN THIS WORLD, nor in the World to come. I have formerly proved from *Levit. 24. 10. to 17.* and other Texts; That Blasphemy was to be punished with death by the Civil Powers under the Law: Our Savior by this Expression; *Shall not be forgiven in this World* (which cannot be thought superfluous) implies, if not asserts, That Blasphemy against the Holy Ghost should be thus punished by Christian Magistrates under the Gospel *even in this world*: whence some conceive *S. John* in his first Epistle c. 5. v. 16. phraseth it, in this respect among others: *A SIN UNTO DEATH*: that is, a sin to be punished with temporal, as well as eternal death. And that our Saviors words: *Shall not be forgiven him, neither in this World &c.* imply, that the Christian Magistrates must not pardon such Blasphemy, but punish it with death in this world; as is clear by the next words, *Neither in the World to come.* So as the plain sense of these words is: That Blasphemy and speaking of words against the Holy Ghost shall not bee forgiven by the Magistrates, nor Ministers, but punished by temporal death, and ** 1 Tim. 1. 20:*
** delivery over to Satan,* (the case of *Hymenaeus* and *Alexander* in part) in this world: nor yet pardoned by God, but punished by him with eternall death in the world to come. Which being the soundest Exposition of these Words in learned mens opinions: (which no ways prove a Popish Purgatory, as the Papists dream) will sufficiently warrant the punishment of such Blasphemy by the Christian Magistrate, even with death, under the Gospel, as well as under the Law.

My eighth Argument is drawne from *Hebrewes 10. 26. to 31.* *Argum. 8.*
For if wee sinne wilfully after wee have received the knowledge of the Truth, there remaineth no more sacrifice for sinne; but a certaine fearefull looking for of Judgement and fiery Indignation, which shall devour the Adversary. Hee that despised Moses Law DYED WITHOUT MERCY under two or three witnesses (and that in case of Idolatry, Apostacy, and Blasphemy, to which this Text relates, Deuteronomy 13. Verse 6, 7, 8, 9. Chap. 17. 8, 9, 10. Leviticus 24. Verse 10. to 17.) OF HOW MUCH SORER PUNISHMENT suppose yee SHALL BE BE THOUGHT WORTHY, Who hath TRODEN UNDER FOOT the Sonne

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of

of God, and hath counted the blood of the Covenant, wherewith he was sanctified, an unholy thing, and hath done despite unto the Spirit of Grace? For we know him that hath said, Vengeance is mine, I wil recompence saith the Lord: And again; The Lord wil judge his people. It is a fearful thing to fall into the hands of the living God. From this text (as likewise from Heb. 2. 1, 2. and cap. 6. 1. to 9. which are in some sort paralleled with it) it is most apparent:

First, that the sins of Apostacy, Blasphemy, Heresy, contempt of Christ and his blood, and despiting of his Spirit, by Christians, are far more heinous, great, and more unpardonable under the Gospel then they were under the Law.

Secondly, that they are worthy of much sorer punishment under the Gospel, then under the Law: Wherefore since those who were guilty of them and despised Moses Law dyed without mercy (by the hand of the Magistrate and people) under two or three Witnesses under the Law; those who are guilty of them under the Gospel, deserving much sorer punishment, may likewise be put to death by the Christian Magistrate without mercy, and punished with more severe temporal punishments then any were under the Law; because their sin is more hainous, and deserves much sorer punishment, as the text expressly resolves; which I wish our Opposites, and all Christian States, Magistrates would seriously consider, who deem the times of the Gospel times of greater indulgence, connivance, and mercy towards such capital Transgressors, then the times of the Law.

Thirdly, that if Magistrates and others neglect, or refuse to punish such enormous Transgressors under the Gospel, God himself wil take vengeance on, judge, and recompence them, and they shal fall into the hands of the living God; which is a more fearful thing then to fall into the hand of men.

Object.

Now if any should hence infer (as our Opposites do) that such must be left wholly to the hands, judgement and vengeance of God himself, who reserves such for his own Tribunal, and hath exempted them from the inferior Magistrates Jurisdiction by this text.

Ans.

I answer, that the text wil warrant no such inference: For first, it is but a bare recital of Gods own Words in the Old Testament, Deut. 32. 35. 39, 40, 41, 42, 43. Now in the Old Testament, the vengeance, punishment inflicted by God himself upon Apostates, Idolaters, as on the Israelites, Midianites, Canaanites, and others, did not exclude but include the Temporal Magistrates Censures, and the use of secondary Instruments; as is most apparent by Exod. 32. 26. to the end; Where Moses SLEW about three thousand men for Worshipping the Golden calf, and yet God plagued the people for the same sinn too: and Numb. 25. 3. to 16. Where Moses for the sin of Peor hanged up the heads of the people before the Lord against the Sun; the Judges of Israel slew every one his men that were joyned unto Baal Peor, and Phineas slew Zimri and Cozbi with a Javelin; and yet God himself at the same time slew twenty four thousand more of the people with the Plague for the same sin. And by Josh. chap. 9. to 13. and Acts 13. 19. Where God himself useth the Israelites to destroy his enemies the Canaanites, and other Idolatrous Nations. Therefore this sentence under the New Testament, Vengeance is mine, &c. no more exempts such Malefactors, as the text speaks of, from the capital punishments of the Magistrates and others, under the Gospel, then it did under the Law.

Secondly, The Gospel informs us, Rom. 13. 4. That every Christian Ruler and

and Magistrate, is the Minister of God; and his **REVENGER**, to execute wrath upon him that doth evil: And their Vengeance and Judgement is not their own but Gods, on whose Tribunal they sit, and whose Person they represent, as is evident by Deut. 1. 17. *Ye shall not respect persons in Judgement, for THE JUDGEMENT IS GODS.* 1 Chron. 19. 6. *And Jehoshaphat said to the Judges, take heed what ye do; for ye judge not for men, but FOR THE LORD, who is With you in the Judgement.* Prov. 29. 26. *Many seek the face of a Ruler, but every mans Judgement COMETH FROM THE LORD.* 2 Chron. 9. 8. *Blessed be the Lord thy God which delighted in thee, to set thee ON HIS THRONE to be KING FOR THE LORD THY GOD, because the Lord loved Israel, therefore made he thee King over them, to do Justice and Judgment.* Prov. 8. 15. *By the Kings reigh, and Princes DECREE JUSTICE.* And Dan. 4. 24. *The most high RULETH IN THE KINGDOM OF MEN, and giveth it to Whomsoever he Will:* As God and Christ are said to preach the Gospel in and by the Ministers of it; as our Antagonists themselves wil grant: So they are likewise said to execute wrath and vengeance in and by the Magistrates. Therefore this fond Objection (whereon our Opposites much insist) must needs evaporate into smoak; and this Text remain an unanswerable proof for the Christian Magistrates power to punish Apostates, Hereticks, Blasphemers, Contemners of Christ, his blood, his Covenant, and the Spirit of Grace, with more grievous corporal and capital punishments under the Gospel, then under the Law.

My ninth Argument shall be from the 2 Pet. 2. 1. to 14. *But there were false Prophets also among the people, even as there shall be false Teachers among you, who privily shall bring in DAMNABLE HERESIES, even denying the Lord that bought them; and shall BRING UPON THEMSELVES SWIFT DESTRUCTION.* And many shall follow their pernicious ways, by reason of whom the way of truth shall be evil spoken off. And through covetousnesse shall they with fained words make merchandize of you; whose judgement now of a long time lingreth not, and their damnation slumbreth not: For if God spared not the Angels that sinned, but cast them down into hell, and delivered them into chains of darknesse, to be reserved unto Judgement: And spared not the old World, but saved Noah the eight person, a preacher of righteousness, bringing in the Flood upon the World of the ungodly: And turning the Cities of Sodom, and Gomorrah into ashes, condemned them with an overthrow, making them an example unto those that after should live ungodly, &c. The Lord knoweth how to deliver the godly out of temptations, and to reserve the unjust unto the day of Judgement to be punished; But chiefly them that walk after the flesh in the lust of uncleannesse, and despise government; presumptuous are they, self-willed, they are not afraid to speak evil of dignities: Whereas Angels, which are greater in power and might, bring not railing accusations against them before the Lord: But these, as natural brute beasts, made to be taken and destroyed, speak evil of the things they understand not, and shall utterly perish in their own corruption: And shall receive the reward of unrighteousnesse, &c. The very same expressions in substance, if not in words, we have repeated in Jude, v. 4. to 23.

From these considerable texts I shall Observe:

First, That False Teachers under the New Testament are in the same rank and condition as false Prophets under the Old; therefore liable to the like Capital Punishment under the Gospel, as false Prophets under the Law, which I have formerly proved.

Secondly, That these False Teachers shal privily (at first, but more openly afterwards) bring in Damnable Heresies; or as the Greek phrase renders it, Heresies of Perdition or Destruction αἵρεσις ἀπωλείας; that is, Heresies deserving a Sentence of Destruction, because they bring Perdition to the souls and bodies of those who broach and embrace them, yea to the Churches, States wherein they are vented and tolerated, *Rev. 2. 14. to 24.*

Thirdly, That such false Teachers shal bring upon themselves **SWIFT DESTRUCTION**; The word ἀπολίσιν, which we English Destruction; is oft times in the New Testament used for the cutting off or destruction of a mans person by a violent and unnatural death, by men or other creatures, through the just Judgement of God: as *Luk. 17. 27. 29. The flood came and destroyed them all; It rained fire and brimstone from heaven and destroyed them all: 1 Cor. 10. 9. They were destroyed of serpents: Matth. 21. 41. He wil miserably destroy those wicked men: Matth. 27. 20. Ask Barrabas and destroy Jesus: And sometimes for a judicall Destruction by way of Censure: as Jam. 4. 12. There is one Law-giver who is able to save, and to DESTROY: Matth. 10. 28. Fear him who is able to destroy both soul and body in hell.* From this acception of the word *destruction*, and *destroy*, in the New Testament, I conceive the meaning of Peter to be: That false Teachers who bring in damnable and destructive Heresies shal bring upon themselves (by these their Heresies when detected) **SWIFT DESTRUCTION**, in a two-fold sense: First, from the Christian Magistrate, who out of zeal to God and the peoples souls whom they would seduce, shal speedily proceed against, and destroy their persons with capital punishments: Secondly, From God himself in mans default, who by some exemplary Judgments wil destroy their persons here, yea their souls and bodies in hel for ever hereafter: *2 Thes. 1. 8, 9.*

Fourthly, That such false Teachers Destruction by the Magistrate, cannot be called Persecution, no more then a Traytors or Murderers, because they bring it upon themselves by their Damnable Heresies, and obstinate perseverance in them.

Fifthly, "That many shal (in the last times) follow the ways and damnable Heresies of False Teachers: and therefore it is no wonder that such multitudes follow after such seducing New-Lights and false Teachers now.

Sixthly, "That by reason of these false Teachers calumnies and Heresies, the very way of truth shal be evil spoken of, and cryed down among their followers: as now it is more then ever in our memory by New-Lights and Sectaries; who stile all others but themselves; * *The carnal and Antichristian Church; The Clergy-Antichristian, &c.* and themselves; *The Saints; The Faithful; Gods peculiar Portion, the anointed ones &c.*

Seventhly, That false Teachers are for the most part exceeding covetous, and "make Merchandise of mens souls.

Eighthly, That they are very Lascivious, "and usually walk after the flesh in the lust of uncleanness, as * many of our Anabaptists, and Dippers of naked women, both

* See M. Dels Epistle and Sermon; and Mr Edwards Gangrenæes.

* See M. Edm. Gangrenæes.

both in the night and day time, proclaim themselves to be

Ninthly, "That they are presumptuous, self-willed, despise Government, speak evil of dignities, and bring rayling accusations against them; never so really verified as by our false Teachers, * Separatists, Anabaptists, and New-Lights at this present, who despise and speak against all Church-government in a most presumptuous manner; speaking evil and bringing rayling accusations against our Parliament, Assembly, Magistrates, Ministers, Church, Laws, Covenant, Directory; and what not, both in Press and Pulpit.

* See *Lilburnes* and *Overtons* Libels; The Arraignment of Persecution; Englands Birthright &c and Mr *Edw. Gangrænaes*.

Tenthly, "That these false Teachers damnation and their followers judgment now of a long time lingreth not, and their damnation slumbreth not: and that these as natural brute beasts, made to be taken and destroyed, shal utterly perish in their own corruption, and receive the reward of unrighteousness at the last, either from the hands of the Christian Magistrate, who justly may, yea ought to destroy and cut off such with the Sword of Justice, or else by the avenging hand of that just God, who spared not the Angels that sinned, but cast them down to hel: drowned the Old World with a Flood, and turned the Cities of Sodom and Gomorrah into ashes; who is as just, as severe now as ever.

If any hence Object from *Vers. 9.* That the Christian Magistrate hath no authority to punish such false Teachers who bring in damnable Heresies, &c. because God reserves the wicked to the day of Judgment to be punished.

Object.

I Answer, that the Argument holds not.

First, Because Gods forbearing his own immediate punishing of men till the day of Judgement, is no *superseas* to the Magistrates punishment of them here: for then no kind of impenitent Malefactors should be punished by the Magistrates in this life, because God reserves his own punishing of them till the day of Judgement: So that this position, if admitted, would wholly take away the Civil Christian Magistrates Judicatory & Power, contrary to *Rom. 13. 4.* and *1 Pet. 2. 13, 14.* and condemn Gods proceedings against *Idolaters, &c.* in the O. Testament.

Answer.

Secondly, Because Gods own punishing of such here with Plagues and other temporal punishments, no wayes impeacheth nor hindreth the executions of the Magistrates Censures on them; as I have formerly proved.

Thirdly, The Apostle here informs us; that *such mens damnation slumbreth not, and their Judgment lingreth not, and that they bring upon themselves swift destruction*: Therefore their punishment is not always to be respited to the generall day of Judgment, but to be executed speedily on them here.

Fourthly, *The reserving such to the day of Judgment to be punished*, is not to be understood here of the general day of Judgment to come hereafter; but of the day of their particular Judgment here; as is clear by the preceding Verses; The day of Judgment to the Old World was the day when God brought the Flood upon them; the day of Judgment to Sodom and Gomorrah, was the day God turned them into ashes, and condemned them with an overthrow: and the day here meant to which God reserves such False Teachers, is the day wherein he bringeth swift destruction upon them by the Magistrates Sword of Justice, or his own immediate Judgments; not the general day of Judgment; for then their destruction so long deferred, would not be swift, and their Judgment and Damnation would justly be said to linger, to slumber, contrary to the Text.

Fifthly, Admit it meant of the general day of Judgement, yet God reserves not False Teachers and damnable Hereticks till that day to be punished with eternal damnation and destruction, but where Magistrates neglect to punish them with temporal damnation and destruction, which through Gods blessing might be a means to free them from eternal. So that this Text duly considered, is in my apprehension a sufficient warrant and commission for all Christian Magistrates under the Gospel, speedily to punish all false Teachers, who privately or openly bring in damnable Heresies with swift destruction, and capitall censures inflicted by them upon conviction, in a way of Justice.

My ninth Argument is this:

Argum. 9. Hereticks, False Teachers, Seducers, and obstinate Schismatics are stiled, not only in the Old but New Testament, *Foxes, little foxes, Wolves in sheeps clothing, ravenous, grievous Wolves who spoil and devour the Flock; yea, Theeves and Robbers, who come only to steal, kil, and destroy Christs sheep, and the like.* Cant. 2. 15. Math. 7. 15. John 10. 8. to 14. Acts 20. 29, 30. And not only Ministers, but likewise godly Magistrates are the *Shepherds and Pastors of Christs flock*, to preserve, defend them from, and chase away, take, and if need be, *destroy and kil these Foxes, Wolves, Theeves, Robbers,* 2 Chron. 18. 16. Psa. 78. 76. 71, 72, Isa. 49. 23. Cant. 2. 15. 1 Tim. 2. 2.

As therfore Shepherds lawfully may and ought to drive away Foxes, Wolves, Theeves, Lyons, Bears, and other beasts of prey from their sheepfolds, and *take and kil them too*, for the preservation of their flocks, as *David did kil the Lyon and the Bear* that devoured his Fathers sheep, 1 Sam. 17. 34, 35, 36. Cant. 2. 15. Jer. 31. 4. John 10. 12, 13. So doubtlesse godly Christian Magistrates and Shepherds under the Gospel, may, yea ought to chase away and banish these pernicious Foxes, these ravenous grievous Wolves, Bears, Lyons, Theeves which devour their flocks, and apprehend and kil them too where they see just cause, to preserve Christs sheep from being devoured, and his flock from being destroyed by them: These very Titles wherewith the Scripture brands them, being a sufficient warrant for such proceedings. We read *Exod. 21. 28, 29.* *If an Ox gore a man or Woman, that they dye, then the Ox shal be surely stoned, and the owner quit: But if the Ox were wont to push with his horn in time past, and it hath been testified to his owner, and he hath not kept him in, but that he hath killed a man or woman, the Ox shal be stoned, and the OWNER ALSO SHAL BE PUT TO DEATH.* Certainly if an Ox that kills the body but of one man or woman with his horn must thus be stoned to death, and his owner too, for not restraining him, if he formerly used pushing; then much more may seducing Hereticks, False Teachers, Blasphemers, Schismatics, who gore the souls of hundreds to death, and those Magistrates who willingly countenance and keep them not in by Laws and Punishments from goring the souls of others that they dye, be punished, and put to death.

* See here p.
42.

Argum. 10. My tenth Argument shal be this: The Apostle informes us *Gal. 5. 19, 20.* That *Idolatry, Schisms, Heresies are works of the flesh, not Spirit;* and couples them with *Witchcraftes and Murders;* adding, *that those who do such things shal not inherit the Kingdom of God:* Yea he informes us *Rom. 1. 32.* *That those*
who

Who commit such things **ARE WORTHY OF DEATH.** And 1 Tim. 1. 9, 10. The Law is not made for the righteous man (that is, to restrain and punish him) but for the lawless and disobedient, for the ungodly and for sinners, for the unholy and profane, for murderers of Fathers and murderers of Mothers, for man-slayers, &c. and **ANY OTHER THING CONTRARY TO SOUND DOCTRINE:** Whereas against the fruits of the Spirit there is no Law, Gal. 5. 22, 23. that is to punish them, or any Christians for them. Whence I thus argue.

If Heresies, Idolatry, Schisms, & Blasphemies too, (as Christ resolves *Mat. 25.*

19, *Mat. 2. 22.*) be works of the flesh, not Spirit, as well as *Witchcraft, Murders,* deserving death as well as they; and the Law of God is made for the punishment of the disobedient, ungodly, unholy, and profane, and whatsoever is contrary to sound doctrine, as well as for *Murders of Fathers and Mothers, and Man-slayers;* then the Christian Magistrate under the Gospel, when he sees just cause, may and ought by the Law of God to punish men with corporal, and capital punishments for Heresies, Idolatry, Blasphemies, and dangerous Schismes, being works of the flesh, as well as for Murder, Witchcraft; and such as murder and destroy mens souls, as well as those who only murder their bodies; since no reason can be rendered out of Scripture, why they should punish some works of the flesh only, and not others.

But the Supposition is true, and ratified by the forecited texts.

Ergo, the Sequel cannot be gaind, but must be granted.

If any Object, That the Subjects of Christ's Kingdom are a spiritual people, born of the Spirit, and therefore without the reach of any outward force, and beyond not only the power, but cognizance of the Magistrate & secular powers, which are but a carnal and worldly Institution.

Object.
* Mr Dells
Right Reformation, p. 10,
21, 22, 23.
compared with
p. 1, 2.

I answer, First, that the Heresies, Errors, Schisms, Blasphemies of such as are pretended to be a spiritual people and Subjects of Christ's Kingdom, born of the Spirit, are meerly carnal and works of the flesh, not Spirit, as Paul expressly resolves; therefore admit the Magistrate and secular power to be but a carnal Ordinance, they are yet within the reach and cognizance both of their power and censure, as well as Treasons, Murders and other Felonies of such Saints and spiritual people.

Secondly, The Argument is but a meer fallacy: Flesh and blood and the Civil Magistrate hath nothing to do with them that are born of the Spirit, in things of the Spirit. *Ergo,* It hath nothing to do with them in the fruits and works of their flesh, which deserve both punishment and censure.

Thirdly, This Objection casts a scandal & reproach upon Magistrates and their Authority, in calling them, the power of the world, flesh and blood, a carnal Ordinance, outward and secular power; as if they were not Gods Ordainers, as well as Ministers of the Word, for the good of men, and punishment of all Malefactors, as well Saints as others. as is resolved *Rom. 13. 1. to 6.*

Fourthly, It is a meer Popish Argument used by the Pope and Popish Clergy in former times to exempt themselves from all secular power, abusing that text of 1 Cor. 2. 13. But he that is spiritual judgeth all things; yet he himself

is judged of *no man*: (which I wonder Mr Dell forgot to quote,) as those who now object it may read at large in *Antiqu. Ecclesie Brit.* p. 245. and sundry Popish Authors *De Immunitate et Exemptione Clericorum*. So that these New-Lights who pretend themselves most opposite to Popery, do but in truth revive it among us in an higher degree then ever, by giving to all those they please to stile *Saints, spiritual people, or the faithful*, the very same, yea a greater exemption from the civil Magistrates power, then ever the Papists gave unto their Clergy only, and no others.

Argum. II. My eleventh Argument is this:

Private Christians are strictly and frequently enjoined to beware of, avoyde, turn away from, and not to receive, or admit into their houses, any Hereticks, Apostates, Schismaticks, or false Teachers: Matth. 7. 15. Rom. 16. 17, 18. Phil. 3. 2. 2 Tim. 2. 16. 17. c. 3. 5, 6. c. 4. 15. 2 Pet. c. 3. 17. 2 John 10. 11. Yea when and where there were no Christian Magistrates to restrain and punish them, the Apostles themselves delivered them unto Satan, 1 Tim. 1. 19, 20. *Wished* that they were even cut off for troubling the Church, Gal. 5. 12. *Willed Ministers to stop their mouthes, rebuke them sharply, and after the first and second admonition to reject; because they subverted whole houses, and overthrew the faith of many*, Tit. 1. 11. 13. c. 3. 10, 11. 2 Pet. 2. 1, 2. 2 Tim. 2. 18. And the Churches of Pergamus, Thyatira, and the Angels of them, when they had no Christian Magistrates, are particularly blamed by God, for suffering such who held the doctrine of Baalam, and of the Nicolaitans which Christ hated: and for **SUFFERING** that woman Jezebel, who called her self a Prophetesse, to teach and seduce his servants to commit fornication and to eat things sacrificed unto Idols. Threatning to cast her, and those that committed fornication with her, into great tribulation, unlesse they repented; Yea, saying, **I WILL KILL HER CHILDREN WITH DEATH**; and all the Churches shall know, that I am he which searcheth the reins and heart; and I will give unto every of you according to your works, Rom. 2. 14. to 24.

Therefore when and where there are Christian Magistrates; they may and must by like reason, expel, reject, banish such out of their Dominions; not admit them into their territories; cut them off for troubling the Church; stop their mouthes; and not suffer them to teach and seduce their people; yea, *kill them and their children* (where there is just cause) *with death*; since Christ himself threatens to do it (not only immediately by himself, but also mediately by the Magistrates, who are his Ministers, Avengers, and must not bear the Sword in vain, but punish such evil doers with it, Rom. 13. 3, 4.) and to render to them according to their works.

The Argument holds undeniably, because Christian Princes and Magistrates are the Nursing fathers of the Church, to defend, protect it against these Seducers and devouring wolves, to preserve the peace, the unity of it, and the purity of Doctrine and worship in it, as the Scripture warrants, and Divines have ever asserted in all ages of the Church, til some New-Lights and Sectaries of

From whence
Jerom, Gualter
Beza, Bellar-
mine, & many
others, infer;
the lawfulness
of punishing
Hereticks with
death.

of late opposed it in others, to procure impunity to themselves, to vent their Errors without controule.

My twelfth Argument shal be deduced from these following Gospel Texts; *Luke 19. 27.* Where Christ, after the Parable of the Talents, concludes thus: *But those mine Enemies that would not that I should reign over them, bring hither AND SLAY THEM BEFORE MY FACE.* Christ doth not slay them immediately himself, but the Magistrates who are his Ministers; servants* revengers; they are to bring and slay them before his face, for their Treason and Rebellion against him. *Mat. 21. 33. to 44.* *Mark 12. 1. to 12.* *Luke 20. 9, to 19.* Where the Lord of the Vineyard, who let it out to husbandmen; who stoned his servants and killed his Son, when he cometh; he wil miserably DESTROY those wicked men and let out his Vineyard to other husbandmen, which shal render him the fruits in due season; (which Parable was experimentably verified in the destruction of Jerusalem and the Jews by the Romans.) And it is added: *Whoever shal fall on this stone (Christ) shal be broken; but on whomsoever it shal fall, IT SHAL GRIND HIM TO POWDER.* *Mat. 22. 2. to 8.* The Kingdom of Heaven is like unto a certain King which made a marriage for his son; and sent his servants to cal them that were bidden to the wedding, but they would not come, &c. And the remnant took his servants, and intreated them spitefully, and slew them: But when the King heard thereof, he was wroth, and sent forth his armies, and DESTROYED THOSE MURDERERS, and burnt up their City: Really verified in the Jews too. To which I shal subjoyn *Rev. 11. 17, 18.* We give thee thanks, O Lord God Almighty, which art, and wast, and art to come, because thou hast taken unto thee thy great power, and hast reigned: And the time is come when thou shouldst DESTROY THEM WHICH CORRUPT THE EARTH. Compared with *Rev. 17. 5. 16.* where it is thus prophecyed of the destruction of the Whore of Babylon the great, the mother of fornications, & abominations of the earth. The ten horns which thou sawst upon the beast (we are 10. Kings) these shal hate the Whore, and make her desolate and naked, and SHAL EAT HER FLESH & BURN HER WITH FIRE; for God hath put it into their hearts TO FULFIL HIS WIL. And *Rev. 19. 19, 20, 21.* And I saw the beast, and the Kings of the earth, and their armies gathered together to make war against him that sat on the horse. And the beast was taken, and with him the false prophet, that wrought miracles before him, with which he deceived them that had received the mark of the beast, & them that worshipped his image. These both were cast into A LAKE WHICH BURNETH WITH FIRE & BRIMSTONE. And the remnant WERE SLAIN WITH THE SWORD of him that sat upon the horse, which sword proceeded out of his mouth: and all the souls were filled with their flesh. From all these Parabolical Expressions in the New Testament, it self, of things to be acted by God the Father, by Jesus Christ himself, & his servants (the Magistrates) under the Gospel, I shal draw these Conclusions necessarily flowing from them.

First, That God the Father and Jesus Christ are altogether as rigorous and severe, (if not far more ridged and mercilesse) against their professed Enemies, Antichristian Opposers, Persecutors, and false Prophets under the Gospel, as they were under the Law, which these Texts, together with *Heb. 2. 1, 2.* and *10. 26. to 32.* and *10. 6. 10.* to the end, undeniably manifest.

Argum. 12.

* Rom. 13. 4.

5

Secondly, That such as those shall be punished with capital and corporal punishments even under the Gospel by Christ his Ministers, Soldiers, Revengers, who bear his Sword; (who are principally, orthodox Christian Kings and Magistrates) as these several expressions manifest; *Slay them before my face; He will miserably destroy these wicked men, and murderers, burn up their City, grind them to powder; thou shalt destroy them which corrupt the earth: The sun burnes shall make the whore desolate and naked, and shall out her flesh and burn her with fire; And the beast and false prophet were taken and cast into a lake which burneth with fire and brimstone (the ground of the ancient Writ De Hereticis comburendo, and of burning Hereticks;) and the rest were slain with the sword, and all the fouls were filled with their flesh.*

Object.

• Mr Dells
Right Refor-
mation, p. 25.

If any Object, * that the sword wherewith those last are said to be slain, is nothing else but the sword of the Spirit and preaching of the Word; because it is said, *that this sword proceeded out of the mouth of him that sat upon the horse: which they further confirm by Isa. 11. 4. He shall smite the earth with the rod of his mouth, and by the breath of his lips shall he slay the wicked: 2 Thel. 2. 3. And then shall that wicked one be revealed whom the Lord shall consume with the Spirit of his mouth, and destroy with the brightness of his coming; concluding hence, That God doth all by the power of his Word, even his punishments and destructions he executes by the Word.*

Ans.

I answer: That the Sword proceeding out of the mouth of him that sat upon the horse, in this Text; is not the meer preaching of the Word and Gospel, as is pretended; but Christs denouncing of Sentence, of Judgement, and executing the same upon them, not as a Preacher, but as a Judge: this is clear by Rev. 17. 2. *Come hither and I will shew thee the Judgment of the great Whore &c.* Rev. 18. 8. *Shee shall bee utterly burnt with fire, for strong is the Lord who J U D G E T H her: Rev. 16. 21, 22. Rejoyce over her thou heaven, and ye holy Apostles and Prophets, for God hath avenged you on her. And a mighty Angel took up a stone like a great millstone, and cast it into the sea, saying; Thus with violence shall the great City Babylon be thrown down, and shall be found no more at all &c.* Rev. 20. 1, 2, 4, 5. *I heard a voyce of much people in heaven, saying; Alleluiah, salvation, honor, and power unto the Lord our God (That SAT ON THE THRONE as a Judge,) For true and righteous are his J U D G E M E N T S; for he hath J U D G E D the great Whore, which did corrupt the earth with her fornications, and hath avenged the blood of his Saints at her hands &c.* It follows (in the very next words to those objected) *And I saw an Angel come down from heaven, having the key of the bottomlesse pit, and a great chain in his hand: And he layd hold on the Dragon, the old serpent, which is the Devil and Satan, and bound him a thousand years; and cast him into the bottomlesse pit, and shut him up &c.* And I saw T H R O N E S and they sat upon them, and J U D G E M E N T was given unto them, &c. And Verse 10, 11, 12, &c. *And the Devil that deceived them was cast into the lake of fire and brimstone, where the beast and the false Prophet are, and shall be tormented day and night, for ever and ever. And I saw a great white Throne, and him that sat on it &c.* And I saw the dead small and great stand before God: And I saw the Books opened; and the dead were judged out of those things which were

Written

written in the Books, according to their words &c. By all which it is undeniable, that the sword of the mouth wherewith those were slain: was only Christ's Sentence of Judgement and Execution passed upon the whore, the false Prophet, beast, &c. by himself, sitting as a Judge, or King upon his Throne of Judgement, and his executioners; not the preaching of the Word by himself or his Ministers, as a Prophet preaching out of a Pulpit: And in this sense Judges and Magistrates when they pass sentence of death upon Traytors, Rebels, or other Capital Malefactors, are, and may properly be said, to slay them with the breath of their lips, with the sword that goeth out of their mouth: because this their sentence makes them liable to death, and brings death upon them by the hand of the Executioner, who hath no power to slay or behead them, but only by the Judges sentence, the original cause of their execution. And in this sense are the other objected Texts to be taken, *By the breath of his mouth shall he slay the wicked*: Not by the preaching of the Word and Gospel, as Mr Dell mistakes it: "But by passing, inflicting a sentence of Death and Destruction upon them as a Judge, sitting upon his Throne: In which relation, the Christian Magistrates, rather than the Ministers, are his Viceregents, to whom he hath delegated the condemning and executing power of capital Malefactors of all sorts, Rom. 13. 2, 3, 4. 1 Pet. 2. 13, 14. Hence Rev. 17. 16. *The seven horns* (interpreted to be ten Kings, v. 12.) *and whatsoever that foul whore, and make her desolate and naked, and eat her flesh, and burn her with fire; and the Army of him that sat on the Throne are said, to take the beast and false prophet and cast them into a lake of fire and brimstone*. From these Texts therefore Christian Princes and Magistrates have sufficient warrant to punish Apostates, Hereticks, False Teachers, Blasphemers, and other open Enemies of God and his truth, with corporal and capital penalties under the Gospel, as well as anciently under the Law.

Many other Arguments might be deduced from other Texts of Scripture to this purpose; but these, I trust, are sufficient to give satisfaction for the present.

I shall only add to these Arguments, the constant practise of many godly Emperors, Kings, States, who, in all ages, since they became Christian, have enacted Laws, and prescribed several pecuniary, corporal and capital Punishments, and sometimes banishment against Hereticks, false Teachers, obstinate Schismatics, Apostates, and Blasphemers. To recite all their Laws at large, would swell this Pamphlet into a large Volume, I shall give you, for the most part, but an Epitome of the chiefest of them, which the studious may peruse at leisure in the Authors out of which I quote them.

I shall begin with Laws and Punishments only against Hereticks, Apostates, false Teachers, or obstinate Schismatics, and then proceed to Laws, and Punishments against Blasphemy and Blasphemers.

Constantine the great (the first Christian Emperor) "banished the grand Heretick *Arius* and his six followers: burned his Books, commanding those who concealed them to be put to death; and protested he would banish all those who would not subscribe the Decrees of the Council of *Nice* made against him. After which he made a notable Edict against the *Novatians*, *Valentinians*, *Marcellinists*, *Paulinians*, *Phrygians*, with all other Hereticks and Schismatics of his time: which being the first formal Law against Hereticks that I find, and very full

* Acts 5. 1. to 12.
Mat. 21.
Joh 3. 13.
to 88. Neh.
13. 23. 24.
Gal. 3. 12.

a *Ruffinus* l. 1.
c. 5. *Socrates*
Schol. Hist.
l. 1. c. 9. *C. int.*
Magd. 4. c. 7.
545, 546.

* *superius de*
Ecclef. Brit.
Primordiis
c. 8. p. 172. &c.
b De vita Con-
stantini, l. 3.
c. 61, 62, 63, 64

"ful and seasonable for our present time and *Iste* (wherein this Emperor was both born and crowned) *Ishal* transcribe Verbatim out of *b. Eusebius*, who records "it, and informs us of the good effects it then produced.

VICTOR CONSTANTINUS MAX. AUG. HÆRETICIS.

Cognoscite. jam per legem quæ a me sancita est, ô Novatiani, Valentiniiani, Marcionistæ, Pauliani, quique Cataphrygum nomen usurpatis, & omnes omnino, qui per conspirationes a vobis constatas, hæreses & sectas etiam atque etiam augere conamini: cognoscite. inquam, quibus mendacijs vestra doctrina inanitas implicata teneatur, & quatenus pestiferis quibusdam venenis vestris usque eo inficiatur disciplina, ut per eam integri ac valentes ad morbum, viri autem ad sempiternum interitum abstrahantur. O veritatis inimici, hostes vitæ, internecionis auctores & conciliarii, omnia apud vos veritati contraria, turpibus contentione, maleficijs ineptiis & commenticiis fabulis exultantia. Quibus certe mendacia struuntis, premitis infantes, fidelibus veritatis lucem denegatis. Nam falsa visio et specie pietatis semper delinquentes, omnia contagione vestra contaminatis, conscientias integras & labe vacuas lethalibus plagis vulneratis: ipsum diem, præne, differitis, hominum oculis adimitis. At quid attinet singula persequi, cum de vestris flagitijs, sicut eorum natura postulat dicere, neque temporis angustia, neque occupationes, quibus districti sumus, sinunt. Nam scelera vestra adeo grandia, adeo immensa sunt, adeo etiam turpia & omni crudelitate redundantia, ut dies integer ad ea explicanda non sufficeret; Imo vero ad hujusmodi rebus aures abducere, oculosque avertere convenit, ne singulorum explanatione sincera & incorrupta fidei nostra professio contumaculetur. Quid ergo? partemurne ejusmodi malorum contagione longius, serpere, præsertim cum longa dilatio faciat, ut sani ac valentes ea tanquam pestifero morbo inficiantur? Cur igitur non cum maxima celeritate, ejusmodi pravitatis, ut ita dicam, radices animadversione & poena publica amputamus?

Note.

Atque quò ista vestra pestis pernicies longius grassari impediatur, per hanc legem mandamus, ne quis vestrum posthac convenire cogere audeat. Et propterea etiam jubemus, ut universæ ades vestre, in quibus congressus illos celebrare consuevistis, penitus evertantur, & hac cautio eorum vim suam porrigat, ut non modo non in publicis, sed ne in privatis quidem edificijs, aut in locis ullis separatis, hujus vestre superstitiosæ amentia factiones coeant: At verò quod multo præstabilius est, si qui vestrum veræ & sincera religionis curam habeant, ad Catholicam Ecclesiam revertantur, & ejus sanctitatis sint participes, per quam poterunt ad veritatem pervenire: fraudulenta vestra perversa mentis astutia: hoc est, scelera, & perditæ Hæreticorum & Scismaticorum seditio, omnino ab hac prospera temporum nostrorum conditione sejungatur. Nostra enim prospera ac beata vitæ rationi, qua dei beneficio fruimur, est admodum consentaneum, ut qui etatem bonæ spe sustentatam degant, ab omni vago & ceco errore ad rectam viam, a tenebris ad lucem, ab inscitia ad veritatem, a morte denique ad salutem traducantur, ac quo provisio hac in curandis erroribus robur & firmitatem sibi necessariam assequantur, mandavimus ut supra dictum est, ut omnia superstitionis vestra loca, in quibus convenire soleatis, omnia dico hæreticorum templa (si modo templa appellare convenit) sine recusatone aut controversia diruantur, et diruta absque mora catholica tradantur ecclesiæ: reliqua loca publico Reip. usui addicantur, ne ulla in posterum vobis conventus

convensus celebrandi relinquatur facultas. Sit igitur hoc ratum statumque ut post hunc diem in nullo loco, vel publico, vel privato, necarii vestigiis conventus, in quibus coire audeant. The effects of this Decree are thus expressed by *Ensch.* in the next Ch.

Ad hunc modum occulta quasi latebræ & recessus eorum, qui alienam ab Ecclesia catholica doctrinam & opinionem tenebant, Imperatorio edicto evoluti patuerunt; bestie etiam immanes, quæ hujus erant impietatis authores exactæ. Ex illis vero qui essent istorum impulsu in fraudem & errorem inducti, alii Imperatoris minis perterriti, fallaci & ficta specie in ecclesiam obrepere coeperunt, temporum conditioni callide & dissimulanter cedentes; ac quoniam lex hominum libros persecuti iusserat, tandem manifestò deprehensi fuerunt hi, qui vetitas & interdictas illas artes ad hominum perniciem comparatas confectati fuissent, quæ de re omnibus ut dicitur opibus viribusque elaborant, ut simulatione sibi salutem adipiscerentur. Alii forte ad spem, quæ in deo Opt. Max. poni debet, verè & ex animo se transferre, quos eum ecclesiarum præfides accurate intermovere studerent, alteros ovium pellibus obtectos, adumbrata specie se insinuare conantes, procul amandarunt; alteros vero qui idem integra & incorrupta mente instituerent, ubi temporis longinquitate explorando; de illis satis exquisitè periculum fecissent, in multitudinem ascitiorum ascripserunt. Hoc modo cum illis qui alienam ab ecclesia opinionem, & doctrinam sequerentur, actum est, alios autem qui dum in eorum dogmatum disciplina versabantur, nihil conceperant impietatis, sed scismaticorum culpa se temere a communi Ecclesie congregatione & frequentia sejunxissent, abiecta omni cunctatione in Ecclesiam receperunt. Hi igitur gregatim, tanquam ex colonia revertentes suam recuperant patriam, & Ecclesiam matrem agnouerunt. A qua diu aberrantes, cum gaudio & letitia ad eam redierunt, membraque communis corporis fuere in unum coagmentata. Et concordia quasi compagibus firma copulata, solaque catholica Dei Ecclesia in sa coalescens, tum resplenduit, cum nulquam Gentium vel Hæreticæ vel Scismaticæ factionis, vestigium reliquum quidem esset. Cujus præclari facinoris causam, Imperatoris Deo (qui solus ex omnibus Imperatoribus qui aliquando extitissent curæ erat) acceptam planè retulit.

This was the good effect of this Emperor's Edict, a sufficient encouragement to others to imitate his Example, who "likewise" suppressed the seditious tumults "and attempts of Hereticks, by banishing them into remote parts, and punished the Jews with severe corporal punishments for their attempts against Christians "and Christian Religion, and endeavoring to repair the Temple at Jerusalem.

"The Sons of Constantine the great prohibited under pain of death, that none should be circumcised after the manner of the Jews.

"The Emperors Gratianus, Valentinian, and Theodosius the Elder and Younger, as they expelled the Arian Bishops and Ministers out of their Churches and placed orthodox Bishops & Pastors in their stead; so they made Laws against them, prohibiting their meetings, banishing them the City, and interdicting their Ministry: Which Laws are recorded by Justinian Codicis lib. 1. tit. 4.

"Lex. 1. 2. Yea, the Emperors Arcadius, Gratianus, Valentinian, Theodosius, Anastasius, Marcianus, and Justinian, made sundry Laws against the Manichees, Apollinarians, Novatians, Eunomians, Valentinians, Mon-

"tanists, Priscillianists, Marcionists, Eutichians, Donatists, Paulians, Euchratists, AND OTHER HERETICKS, TO THIS EFFECT:

"That

"That

"That

"That

"That

c Niceph. Eccl.
Hist. l. 8. c. 18.
L. 21. c. 30. So-
crates l. 7. c. 6.
Justinian
l. 1. Cod. Tit.
12. de Iudeis.
Chrysost. Orac.
2. Cont. Ju-
dæos. Cent.
Mag. 4. Col.
345, 346.
d Sozomen l. 3.
c. 17. Cent.
Magd. 4. Col.
346.
e Theodoret
Eccles. Hist.
l. 5. c. 2. 16. So-
crates Schol.
l. 5. c. 7. Sozome-
nen l. 7. c. 6.
Justinian l. 1.
c. 19. August.
Epist. 48. de
Corrèctione
Donatist. ad
Bonifacium.
Niceph. Eccl.
Hist. l. 3. c. 15.
L. 23. c. 37.
Surnus Concil.
Tom. 1. p. 484.
Tom. 2. p. 136.
215, 216, 1029.
Cent. Mag. 4.
Col. 345, 346.
Cent. 3. Col.
1770, 771. Cent.
6. Col. 414, 415.

“That they should neither preach, nor speak of their Heresies, nor exercise their Ministry, nor vent any thing against the orthodox truth, nor keep any assemblies in Churches or private houses, under pain of confiscation of the places where they assembled; and they were to forfeit an hundred pounds of gold to the Emperor, and fifty to the President; that all their goods, Liberties, Offices, Taxes, should be forfeited; that they should inherit no lands, nor have power of buying, selling, or contracting after conviction, nor to make any Will or Codicil: **IN MORTEM QUOQUE Inquisitio TENDATUR**: And that they should likewise be put to death, their crime being greater then treason against the Emperor: That the believers, receivers, defenders, and favourers of Hereticks be excommunicated for the same, and not conforming within one years space should be accounted infamous, and not be admitted to any publick offices, Councils, Elections; nor to give testimony in any case, nor have power to make a Will, nor to enjoy Lands as heirs and successors to any person, nor have power to implead any man in any Court, nor to be Advocaters or Registers: That those Hereticks should enjoy no Military nor Civil Office; that all their Heretical Books (*some of their Persons to) should be publickly burnt: & that the *Manichæi* **ULTIMO SUPPLISIO** traderentur, quoniam his nihil relinquendum loci est, in quo ipsi etiam elementis fiat iniuria. And they further Enacted, “That if any condemned Hereticks, gathered Churches, or raised any tumults to the disturbance of the publick peace: *Ut seditionis auctores, pacisque turbata Ecclesia* **ETIAM MAIESTATIS CAPITIS AC SANGUINE SINT SUPPLICA LUTURI**: “They were to be punished as authors of Sedition, disturbers of the publick peace and guilty of Treason, with the loss of their heads, and blood: These severall Laws are more largely recorded in *Justinian Codic.* lib. 1. Tit. 8. *De Hæreticis & Manichæis*, & *Codex Theodosij* lib. 16. Tit. 1. 4. The self-same Emperor, together with the Emperor *Constantinus* Enacted the like Laws, and inflicted the self-same punishments upon Apostates from the Orthodox Faith to Paganism, to Heresie and Judaism, registred at large by *Justinian Cod.* lib. 1. Tit. 10. *De Apostatis*, where you may peruse them, and in *Codex Theodosij* lib. 16. Tit. 6, 7, 8. These Emperors likewise Enacted severe Laws for the suppression of Idolatry and Pagan Religion: and the Emperors *Constantinus* and *Julian* Enacted this capital Law; **PÆNA CAPITIS** subjugari precipimus eos, quos operam sacrificiis dare, vel colere simulacra constiterit; *Codex Theodosij* lib. 16. Tit. 8. lex. 6: These Edicts of theirs, suppressed, destroyed the *Eutichian*, *Nestorian*, with other of these Heresies, as the historians of that age relate, and *Leo*. *Epist.* 38. & 39. to the Emperor *Marcianus* and *Pulcheria* the Empress, testify, and *Epist.* 91. The good effects of these Laws, that they reclaimed, converted * many from their Heresies and Errors, and made them real converts, is at large recorded by *Saint Augustin* in his 48. & 50. *Epistles*: this experimental good fruit of them inducing him thus to retract his former opinion against punishing Hereticks with corporal punishments: * *Sunt duo libri mei, quorum titulus est, Contra partem Donati; in quorum primo libro dixi, non mihi placere ullius secularis potestatis impetu Scismaticis ad communionem violentem vehementerq; actari. Quod verè tunc mihi non placebat, quia nondum expertus eram, vel quantum mali eorum auderet impunitas, vel quantum eis in melius mutandis conferre*

* *Mox flammis dedendus est; & cum omnibus suis partibus* **CONCREMANDUS.** *Codex Theodosij* lib. 16. Tit. 4. Lex. 57. & *Codex Theodosij* lib. 16. Tit. 1. Lex. 4. & Tit. 3. Lex. 5.

* *De multorum jam correctione quædam non illos aut illos homines, sed MULTAS CIVITATES, videmus fuisse Donatistas, nunc esse Catholicas, detestati vehementer Diabolicam severitatem, &c.* *August. Epist.* 48. * *Retra. Sac.* lib. 2. c. 5.

conferre passet diligentem disciplinam. * Sed has opiniones nec contradicentium verbis, sed demonstrantium superabatur exemplis: Primum mihi opponebatur civitas mea, quæ cum tota esset in parte Donati, **AD UNITATEM CATHOLICAM TIMORE LEGUM IMPERIALIUM CONVERSA EST**, quam nunc videmus ita hujus vestra animositate perniciosè detestari, ut in ea nunquam fuisse credatur. Ita alia multa quæ mihi nominatim commemorabantur, ut ipsi rebus agnoscerent etiam in hac causa resse intelligi posse quod scriptum est. Da sapienti occasionem, & sapientior erit, &c. which he reciteth in the same Epistle, and Epist. 10.

* About the year of our Lord 430. Divers of the Schismatical Donatists were slain and put to death for their Sedition, Schisme, and Violences; which Saint Augustin deemed lawful, and justified at the last when he perceived their Schisma and mischiefs could not else be suppressed, though he were formerly of another opinion.

The Emperors Honorius and Theodosius made a Law, for the Banishing and Punishment of Pelagius and Celestius, the Broachers of the Pelagian Heresy and their followers: wherein there is this notable claus: *Hos ergo reprobos ubique de hoc tam nefando scelere confuentes, a quibuscumque indomiti corripit, deducitque ad audientiam publicam, prout sibi ab omnibus accusari, ita ut probationem criminis scilicet publicus insequatur, ipsi innotuit oculis de perditione damnatis. Decet enim originem vitii a conventu publico sequestrari; nec in communi eos celebritate consistere, qui non solum facto nefario detestandi, verum etiam exemplo venenati spiritus sunt cavendi: ideo autem per omnem penè mundum, qua Imperium nostrum extenditur, hujusmodi promulgata diffundi: Ne scientia fortasse dissimulatio partium præster errori: utque impudense quisque putet audire, quod condemnatum rigore publico sese sineret ignorare. Datum pridie Calendas Maias, Ravenna, D D. NN. Honorio XII, & Theodosio VIII. Augustis Consulibus.*

Whereupon Palladius in pursuance of this Law made this Edict.

Exemplar Edicti propositi a Palladio Prefecto Prætorio.

Junius Quartus Palladius, Monaxius & Agricola, iterum Præfecti Prætorio, edixerunt.

In Pelagium atque Celestium, Catholici dogmatis fidem searvis tractatibus destruentes, sententia principalis invaluit, ut venerabili Urbe submoti, bonorum concilio multarentur. Hoc igitur omnes admoneri oportet Edicto, ne quis sinistra persuasionis erroribus præstet assensum. Et si sit ille plebeius, ac clericus, qui in caliginis hujus obscura reciderit, a quocumque tractus ad Judicem, sine accusatoris discretionem persone, facultatum publicatione mulans, irrevocabile patietur Exilium. Nam superius decessit, ut colligitur secreti ignorantia reverentiam, ita ex improba dispensatione injuriam.

* About the Heretick, a Persian born, the first author of the Heresie of the Monichism, about the fourth year of Anostian the Emperor, grew to that madnesse at last, as to stile him self Christ, and the holy Ghost: and chose him twelve Disciples, with whom he travelled over the Kingdoms of Persia: from whence being expelled as a manifest contemner of God: he was at last apprehended by command of the King of Persia, and subjected to a Persian punishment, having

* Epist. 10.

* Epist. 10.
Contr. Part.
lib. 3. de Unitate
Contr. Epist.
Palladius. l. 2.
c. 6. p. in Jan.
Trib. de Epist.
Epist. 10. p. 10.
10. R. 10.
l. 2. c. 3.
g. 10. 10.
5. c. p. 10.
10. 10. 10.
418. f. 19.
20. f. 19.
de Brit. Eccl.
Primordis
271. to 275.

* Epiphanius
contra Hæres.
l. 2. Tom. 2.
Hæ. 66.
Nicephorus
Callist. Eccl.
Hist. l. 6. 31.
32.

his skin flayed off his body, and then cast unto the dogs naked, to be devoured of them: An end suitable to his damnable Heresies and Blasphemies: his skinne was afterwards stuffed with Rets, and kept for a monument to deter others.

^h Enagrus 1, ^h Justinian the Emperor condemned Severus by a promulged Law, and appointed most grievous Punishments for his Followers: The Emperor Justin caused the Arian Heresie and Arians to be extirpated and gave their Churches to the Orthodox Christians. And the Heretick * Priscillian was slain by Maximus the Emperor.

ⁱ Theodoricus Apher inflicted " Capital punishment upon his Deacon, (who being Orthodox at first, Apostatized to the Arian Heresie, hoping to gratifie his Lord), saying; If thou hast not kept thy faith to God, how shalt thou keep a sincere conscience to man?

^k Constantine the Nephew of Constantine " severely suppressed and punished both the Clergy and Laity; Princes and Prelates infected with the Heresie of the Acephali and Monothelites. And the whole Senate and City of Constantinople, about his time, banished Pappus, a wicked and Hereticall Bishop.

^l King Reccaredus and the third Council of Toledo in Spain, " Decreed; that if any Clergyman violated the Decrees of that Council (which settled all the Churches belonging to the Arians upon the Orthodox, among other things) that he should be excommunicated, if a Bishop or a Clergy-man, by all the Council; if a Lay-man of any rank or quality, that he should forfeit half his goods to the King: if a person of mean quality, that he should forfeit all his goods and be banished.

^m King Eringius in his Edict for the confirmation of the thirteenth Council of Toledo, Enacted, " That the enfringer of the Constitutions thereof should be excommunicated, and likewise forfeit the tenth part of his goods; and if he had not goods sufficient to pay his fine, then hee was to bee publicly whipt, and receive fifty stripes, and to bee ever after reputed infamous.

In the ⁿ Code of the Laws of the Wisigothes, lib. 12. (collected and published in the first year of the reign of King Eringius) I find many Laws to suppress Judaism, the impiety of the Jews and their contempts against Christian Religion, under divers Corporal & Capital Punishments besides Confiscation of their goods; and among other of these Laws, there is this capital one against such Christians as shal be circumcised and apostatize to Judaism, Tit. 2. Lex. 17. De Judaizantibus Christianis.

^o Sicut descendum est a Christianis eorum scelus, qui in Christo pravitate res existunt: ita modis omnibus decernendum, ut nullus omnino veniam mereatur, qui a meliori proposito ad deterius declinasse convincetur. Quia ergo crudelis est stupenda presumptio, crudeliori debet extirpari supplicio: ideo legis hujus edicto decernimus, ut quicumque Christianus, & presertim a Christianis parentibus ortus, sexus scilicet utriusque, circumcisionem vel quoscunque ritus Judaicos exercuisse repertus est, vel (quod Deus avertat) ponerit ulterius reperire, conspiratione & zelo Catholicorum, tam novis & atrocibus poenis afflictus, turpissima morte perimatur, quam horrendum & execrabile malum est; quod ab eo constat nequissime perpetratum. Eorum vero bona filii proculdubio fisco

fiscus adsumat: si heredes vel propinquos ealium personarum sacri hujus error consentiendo commaculet. And Tit. 3. Lex. 4. P. Si quis Judæorum ritu sub Pascha celebraverit, centum verberatur flagellis, & turpiter decalvetur. Exilio diutino mancipetur, & ejus res fisco adsociandæ sunt: Illis vero qui carnis circumcisiones in Judæis vel Christianis exercere præsumperint, quisquis hæc aut ingulerit alteri, aut fieri ab altero permiserit sibi, veretri ex toto amputatione plectetur, & res ejus fisci juribus sociandæ sunt. Mulieres tamen quæ aut circumcisiones exercere præsumperint, aut circumcidendos quisque cuilibet circumcisorii obtulerint; naribus abscissis, & rebus omnibus in principis potestate reductis, lugebunt facinus sue præsumptionis: Simili quoque & illi poena plectendi sunt, qui Christianum vel Christianam a fide demoverit Christi, vel ad ritum Judaicæ prævaricationis adduxerint.

And Tit. 2. DE OMNIUM HÆRETICORUM atque JUDÆORUM cunctis Erroribus amputandis. Lex. 2. There is this general Law against Hereticks, De omnium Hæresum Erroribus abdicandis, made in King Reccaredus his reign, punishing all Hereticks with loss of their dignities, honors, goods, and perpetual banishment.

9 Divinæ virtutis æternum consilium, & in ultimorum serie seculorum pietatis ejus revelatum arcanum, per retro-actorum dierum tempora omnem, ut cernimus, à cunctis nostri regiminis finibus, & perfidiam dissipavit errantium, & dogmatum abdicavit commenta pravorum: Verumtamen ne dum nostris consistimus in diebus, tempus illud occurrat, de quo vis electionis olim protulit, dicens: Erit tempus, quo sanam doctrinam non sustinebunt: sed secundum sua desideria concervabunt sibi. Magistros prævientes auribus, & a veritate quidem auditum avertent, ad fabulas autem convertentur. Convenit & ea quæ in luce fidei manent, à tenebris contradictionum edicto legali defendere; & ea quæ exori i obvia forsan error impulerit, gestis legalibus propulsare. Nullus itaque cujuscunque gentis aut generis homo, proprius & advena, profelytus & indigena, externus & incola, contra sacram & singulariter unam Catholicæ veritatis fidem quascunque noxias disputationes, eandem fidem impugnans, palam pertinaciter aut constanter vel proferat, vel proferre silenter attemptet. Nullus Evangelii decreta convellat: Nullus Apostolica instans decerpat: Nullus antiquorum patrum impugnationibus suis sacris definitiones irrumpat: Nullus modernorum discernentium congruentes fidei tractus specnat: Nullus contra omne sanctum dictum & factum, vel veræ fidei sacramentum, aut cogitationes ruminet cordis, aut verba patuli proferat oris: Non in contradictione controversiam perfidus excitet pervicacis, non improbitatis contentione litem statuat adversantis, Nam quæcunque persona ex his in cunctis istis veritis extiterit deprehensa, si quidem ex quacunque religionis potestate vel ordine fuerit, amisso loci & dignitatis honore, perpetuo reatus erit obnoxius, rerum etiam cunctarum amissione multatus. Si vero ex laicis extiterit, & honore solutus & loco, omni rerumque possessione nudatus, ita ut omni transgressor sanctionis istius, laici æternæ Exilio mancipatus incutatur, & divina miseratione respectus, à prævaricatione convertatur, & omni

Fridericus
Lindb. Codex
Legum Anuq.
p. 211, 212.

Fridericus
Lindb. Codex
Legum Anuq.
p. 211, 212.

Alfonso

r Rodaici
Santii Hist.
Hispania 4, 3.
c. 3. The ge-
neral History
of Spain in
his life, Cent,
Mag, 8. Col.
519.

f Frid, Linde-
brogus Codex
Legum Antiq,
p. 959.

r Paulus Dia-
conus, Rom. 1.
24. Cent, Mag,
9. Col. 342.

* Amalium
Tom. 3. in his
life, f. 179.

* Lucas Tu-
densis advers.
Albigens. Er-
rores 1. 3. 15.
21, 22.

Antoninus Hist
Pars 3. Tit. 19
c. 1, sect. 4, f.

26. Jacobi
Gretseri Pro-
logom; in
Scriptores

contr. Sectam
Waldensium
Bibl. Patr.

Tom, 13, p.
290, 291.
Reynerus cont.

Waldenses
c. 11, 12.

u Herman con-
tractus in Chr,
Cent, Mag, 11
col. 393.

* Super Can-
tica Serm, 66.

* Rom, 13.

x Vincent.
Spec, Hist, 1,
29, c. 26.
Cent, Mag, 12,
col. 853.

† * *Alfonso the first, King of Spain, about the year of our Lord, 710. by his severe Laws, extirpated the Arian Heresie out of Spain and the West, as the Emperor Constantine rooted it out of the East, and the Emperor Gratian out of Italy; Whence hee was stiled (and his successors after him) the Catholike King.*

† *The Emperors Charles the great, and Lewes, Capit. lib. 5. Tit. 183. and 46. Tit. 65. Enacted, That no man suspected of Heresy, should be a firme wit- nesse; that those who were Hereticks ought not to be admitted to be witnesses: And that none should receive a Benediction from an Heretick.*

† *Michael the Emperor punished the Manichees and other Hereticks in his time, with banishment and capital punishments.*

* *Zonaras records, that the Emperor Alexius Comnenus, caused Basilus the chief Doctor and Apostle of the Sect of the Bogomilli, after he had publicly vomited out the poison of his pestilent Heresy, TO BE PUBLICELY BURNT in the Theater, by common consent; about the year of our Lord, 1212.*

About the same time the * *Pope and Popish Prelates caused divers of the Albigenses to be apprehended and burnt as Hereticks; and not content therewith raised up a bloody war against them, wherein their Friar Saint Dominick was a great stickler; and Simon Montefort Generall of the Army: who taking the Town Minorbra by force, and divers of the Albigenses Prisoners in it, commanded one hundred and eighty of them, who obstinately refused to abjure their [pretended] Heresy, TO BE BURNED, which was accordingly executed: as Antoninus records. After which time the burning of Hereticks grew common in most places.*

* *Henry the third celebrating Christs Nativity at Goslar, by the generall consent of all there present, commanded some Manichees, (who condemned the eating of all living creatures) to be hanged upon a gibbet, lest this scab of their Heresy spreading farther should infect and murder more.*

* *Saint Bernard Abbot of Clareval records, that certain Hereticks in his time (about the year of our Lord 1130.) who denyed the lawfulness of Mari- age, and Baptism of Infants, among other things; being Rusticani homines & Idiotæ, & prorsus contemptibiles (as our Anabaptists and Sectaries generally now are) were so obstinate in their Errors: that Mori magis eligunt quam con- verti: whence the common people after their errors were detected and publicly maintained by them, ran upon them and slew them: which he thus expresseth: Itaque irruens in eos populus, novos hæreticos suæ ipsorum perfidiæ martyres dedit. APROBAMUS ZELUM, sed factum non suademus; quia fides suadenda est, non imponenda: Quamquam melius præcudubio; GLADIO COHERCERENTUR, illius videlicet, * qui non sine causa gladium portat, quum in suum errorem multos trahere permittantur: Dei enim Minister ille est, Vindex in iram ei qui male agit. Wherein he asserts the lawfulness of the Civil Magistrates restraining and cutting off obstinate Hereticks with the Sword.*

* *In the year of our Lord 1183. there were many Hereticks burnt in Flanders by Philip Earl of Flanders, and Guilermus Archbishop of Rheemes: And then*

then the Writ *De Hæretico comburendo* began to be in use in most Christian Realms, by Popes and Popish Prelates, which the Prelates generally abused afterwards, by condemning and burning the true Saints of God for defending the truth against their Antichristian Errors, as Mr Fox his Acts and Monuments, and the French Book of Martyrs evidence.

The Emperor *Friderick* the second, made these Laws against Hereticks, their receivers, and Apostates; condemning Hereticks to be burnt, and their goods to be confiscate.

Inconsutilem tunicam Dei nostri diffuere conantur Hæretici, & vocabuli vicio fervientes, quod significationem divisionis enuntiat, & ipsius indivisibilis fidei unitati conantur inducere sectionem, & oves a Petri custodia, cui pascenda à Pastore bono sunt creditæ, segregare. Hi sunt lupi rapaces intrinsecus, & eo usque mansuetudinem ovium præcedentes, quousque possint ovila subintrare dominicum. Hi sunt angeli pessimi. Hi sunt filij pravitatum, a patre nequitie, & fraudis autore ad decipiendas simplices animas destinati. Hi sunt colubri, qui columbas decipiunt. Hi sunt serpentes qui latenter videntur inspicere, & sub mellis dulcedine virus evomunt, ut dum vite cibum ministrare se simulant, cauda feriunt, & mortis poculum, velut quoddam durissimum aconitum, sumiscent. Horum secta veteribus legibus, ne in publicum prodeant, non sunt notata nominibus, vel quod est forte nefandius, non contenta, ut vel ab Arrio Arriani, vel a Nestorio Nestoriani, aut a similibus similes nuncupentur: sed in exemplum Martyrum, qui pro fide Catholica, martyria subierunt, Patarenos se nominant, velut expositos passioni huiusmodi. Miseri Patareni, à quibus abest sancta credulitas Trinitatis æternæ, sub uno contextu nequitie in simul tres offendunt, deum videlicet, & proximos, & seipsos. Deum, cum Dei filium & fident non agnoscunt, decipiunt; proximos, dum ipsis sub specie spiritualis alimonie, hæreticæ pravitatis oblectamenta ministrant. Crudelius etiam faciunt in seipsos, dum præter animarum dispendium, corpora denique sævæ mortis illecebris, quam pet agnitionem veram veræ fidei possint evadere, vitæ prodigi, et necis improvidi, sectatores involvunt, & quod est ipso dicto durissimum, superstitites etiam non terrentur exemplo. Contra tales itaque deo & hominibus sic infestos, continere non possumus motus nostros, quin debere ultionis in eos gladium exeramus, et tanto ipsos persequamur instantius quanto in evidentiorum injuriam fidei Christianæ, prope Romanam Ecclesiam, quæ caput aliarum Ecclesiarum omnium judicatur, superstitionis suæ scelera latius exercere noscuntur; adeo quod ab Italici finibus præsertim à partibus Longobardie, in quibus pro certo perpendimus ipsorum nequitiam amplius abundare, jam usque ad Regnum nostrum Siciliæ suæ perfidiæ rivos derivarunt. Quod acerbissimum reputantes, statuimus in primis, ut crimen Hæreseos damnata secta, cujuslibet quocunque nomine censeantur sectatores, prout veteribus legibus est distinctum inter cetera publica crimina nuncupetur: imò crimine læsæ Majestatis nostræ debet ab omnibus horribilius judicari, quod in divina Majestatis injuriam agnoscitur attentatum, quamquam iudicii potestate, alter alterum non excedat. Nam sicuti perduellioni crimen personæ admittit damnatorum, & bona, & damna post obitum etiam memoriam defunctorum: sic & in prædicto crimine, quo Patareni vocantur, per omnia volumus observari ut ipsorum nequitia, quia deum non se-

*y Confis. Sicul.
larum l. 1, Tit.
1, 2, 3. apud
Frid. Lind-
brogum Codex
Legum antiq.
p. 700, 701, 702*

Nota.

quantur, ac in tenebris ambulant, detegatur. Nemine etiam deferente diligenter investigari volumus huiusmodi scelerum patratores, & per officiales nostros, sicut & alios malefactores inquiri ac inquisitione notatos, etiam si levis suspicionis argumenta tangantur a viris Ecclesiasticis & Prælati examini jubemus; per quos si evidenter inventi fuerint à fide Catholica saltem in uno articulo deviare, ac per ipsos pastoralis more commoniti, tenebrosis diaboli relictis insidiis, noluerint agnoscere Deum lucis, sed in erroris concepti constantia perseverent, præsentis nostræ legis edicto damnatos, mortem pati Patarenos decernimus, quam affectant: ut vivi in conspectu populi comburantur, flammarum commissi iudicio. Nec dolemus, quod in hoc ipsorum satisfaciamus voluntati, ex quo poenam solummodo, nec fructum aliquem alium consequuntur erroris: Apud nos pro talibus nullus intervenire præsumat: quod si fecerit, in ipsum nostræ indignationis aculeos non immerito convertemus.

Patarenorum receptatores, credentes & complices & quocunque modo fautores, qui ut a pœna possint alios eximire, de se velut improvidi non formidant, publicatis bonis omnibus, relegandos in perpetuum esse censemus. Et ipsorum filii ad honores aliquos nullatenus assumantur, sed infamie perpetuæ nota laborent: ut nec in testes, nec in causas, quibus repelluntur infames, aliquatenus admittantur. Si tamen aliquis de filiis receptatorum vel fautorum detexerit aliquem Patarenum, de cuius huiusmodi manifeste proberu perfidia, in fidei præmium, quam agnovit famæ pristinæ de Imperiali clementia, restitutionis integrum beneficium consequatur.

Apostatantes a fide Catholica penitus execramur, insequimur ultione, bonis omnibus spoliamus, & a professione, vel voto naufragantes legibus coarceamus, successionem tollimus, & omne jus legitimum abdicamus.

z Pauli Ges-
chinnii Majestas
Carolina; Rub
1.2,3,4,5.p.
3,4.

The Emperor Charles the fourth, King of Bohemia, made the like Laws almost in terminis for the burning of Hereticks, and banishing their receivers out of the Kingdom of Bohemia; differing from them in these few expressions: *Quod in religionem divinam committitur in omnium fertur injuriam. Quid enim potest ab hominibus gravius existimari quam divina potentia copiosam clementiam in proprio filio humano generi attributam, miserorum latrantium dentibus percipi lacerari? &c. Præsentis nostræ sanctionis edicto, damnatos, mortem pati HERETICOS decernimus quam affectant, UT VIVI IN CONSPECTU POPULI COMBURANTUR*, flammarum commissi iudicio, qui sacris flaminis lumen agnoscere, & Patris æterni perennem gloriam quarere unigenitique Filii passionem, redemptionem humani generis credere denegarunt. Dementes, atque vesani, Catholicæ fidei sacro dogmati repugnantes præter divine ultionis æterna supplicia infames facti, Maiestatis nostræ indignationem multiferam se noverint incurrisse.

Omnis secta Hereticos a quoquam iuxta limites Regni nostri Boemæ in domibus aut agris, aut aliter quoquo modo indifferenter receptari prohibemus omnino: Receptatores vero si qui fuerint, scienter, aut credentes, aut complices, aut alias quocunque modo consentientes eis, siue fautores; bonis eorum omnibus confiscatis, relegandos a Regno prædicto in perpetuum censemus.

To these I could add sundry other Laws and Edicts made by the whole Kingdom of Bohemia, and Senate of Prague, for the Imprisonment, Banishment, Punishment with the loss of goods, of life, and burning the Books, persons of Hereticks, and Blasphemers, with their proceedings accordingly upon these Laws under the reign of King Lodovicus about the year of our Lord, 1523. and afterwards, recorded at large by Georgius Bartholdus Pontanus, in his *Bohemicae Picae* lib. 7. throughout; as likewise the Laws of sundry other Popish Kings and States against such they esteemed Hereticks, though in verity professors of the Orthodox Truth; but because these Laws were made by Papists and the bloody execution of them by imprisoning, tormenting, banishing, burning, destroying of many godly Christians, under the name of Hereticks, is at large recorded in Mr Fox's *Acts & Monuments*, and the *French book of Martyrs*; I shal wholly pretermitt them, and proceed to some Presidents of Protestant States in forraign parts.

* *Valentinus Gentiles* born in *Campania*, for his execrable Blasphemies, violent expressions, and damnable Heresies against the Trinity and Christs Divinity, was first imprisoned by the Magistrates of *Geneva*, and upon his Recantation released: Afterwards coming to *Berne*, and there broaching the Errors and Blasphemies formerly abjured by him at *Geneva*, he was imprisoned by the Magistrates, *An. Dom.* 1556. "After which his Blasphemous and Hereticall Books were perused by the Senate of *Bernes* appointment, and Articles drawn out of them against him; to which he was put to answer: After many conferences and disputations, he continuing obstinately in his Heresies from the 5. of *August* to the 9. of *September*, he was then condemned to death by the Senate, to prevent dissensions, and exterminate such horrid Errors, Blasphemies, and thereupon beheaded; and so by Gods just Judgement at once ceased both to blaspheme and live.

"The Heretical, Schismatical, and Seditious Anabaptists and Dippers, (who now swarm every where among us, yea, dare boast publicly in multitudes and numerous congregations, publishing their Confessions in Print and tendring them openly to the Parliament,) have been imprisoned, banished, nay corporally and capitally punished in former times in sundry places, as a most dangerous insufferable Sect, as these Presidents demonstrate.

* The Protestant Senate of *Zuricke* made a Decree against the Anabaptists after they had been dealt withall by ten publick and private Disputations, and continued obstinate, that whosoever dipped any a new, who had been formerly baptized; he should himself be dipped and drowned in the waters, for this offence. A fit punishment for our new lustful Dippers.

In the ^d year of our Lord 1531. Certain Anabaptists coming out of *Germany* into the Netherlands to *Amsterdam*, the Proctor General of the *Hague* caused nine of them to be apprehended, who afterwards by Sentence given against them lost their heads.

* *An. Dom.* 1528. The Anabaptists creeping into *Embolden* in *Frisia*, and there encreasing and lifting up their heads, *Melchior Hoffman* being their Teacher, proceeded so far as to profess their Anabaptism in a publick place; whereupon the Magistrates banished *Melchior* and some of his followers.

a *Artius Valentinus Gentilis* historia, at the end of his *Problemata Theolog.* p. 569. to 586.

b See a Confession of faith of 7. of the churches of Christ in London. Mr *Edwards Gangrænae* 1. 2. & 3. Part.

c *Epist. Zuin. & Oecolampedii* 1. 2, f. 84.

d *General History of the Netherlands* 1. 6. p. 159.

e *Davidis Chytrai Chron. Saxoniae* 1. 2. p. 363, 364.

f *Chytrai Chro.* f *An. Dom.* 1533. "The Senate of *Breme* commanded all Anabaptists and
 l. 13. p. 403. "prophaners of the Sacraments to be banished the City by a publick Decree,
 l. 14. p. 413, "which they presumptuously contemned. The Senate of *Osna-burgh* did the like,
 414.

An. 1543.

g *Chytrai Chr.* g *An. Dom.* 1534. The Tragedy of the Anabaptists began at *Munster*,
 l. 14. p. 411, "which gave occasion to all the Cities of *Saxony* to make publick Laws against
 412, 413, &c. "the Anabaptists, and to appoint certain Senators to take care that no Ana-
Steidan Com. "baptists or persons infected with fanatical opinions of the like kind, should
 l. 520. *Pontan.* "privily creep into their City: and if any did, that they should presently be
Catal. Hære- "sent away and banished. And good reason: for these *Munster* Anabaptists
ticorum. Mr. "putting themselves sodainly into arms, seised and fortified the Market-place;
Bayly his Ana- and breaking their faith with the Prince, Townsmen, and Country-people,
 baptism c. 2, who came against them, as soon as they retired home and laid up their arms,
 3, 4, 5. they presently demanded and received the keys of the City-gates: which done,
 "they domineer over the City at their pleasure, banish all good and honest Citi-
 "zens that were not of their faction out of the City, seise upon all their goods,
 "fortifie the City (fearing a siege) and call it the New *Jerusalem*; they desie
 "the Churches, prophane all sacred things, cast out the Consuls and Senators,
 "and set up most wicked wretches of their own in their places; and soon after
 "removing them likewise, they chose twelve Judges for emergent causes whom
 "they called Elders in *Israel*, to whom the power of all things was committed:
 "After which they changed the forme of Government into a Monarchy, *John*
 "Beakly of *Leyden* a crafty companion making himself their King, and *Knipper*
 "Dolling his Vicar: which done, he invades and seises on all the wealth of the
 "City, introduceth polygamy and defecds it: coyns gold and silver money,
 "sends forth preaching Emisseries into divers parts of the world to propagate his
 "sect, who were all slain. At last fearing the City would be betrayed, he created
 "twelve Captains between whom he divided all the Bishopricks and Principalities
 "of *Germany* before they were ained, and made them keepers of the City gates.
 "At last the City being besieged, they were driven to that extremity, that all
 "their provisions being spent they did eat doggs, cats, rats, froggs, mice, yea
 "those things which human nature abhors, and their own children, so as many
 "dyled of famine. After a long siege the City bei g entered and taken on Saint
 "John Baptist day *An. Dom.* 1535. all the Anabaptists besides women and chil-
 "dren were slain without distinction: The heads of this their faction, *Bernard*,
 "Knipper Dolling, *Bernard Brechting*, and *John* of *Leyden* himself with his
 "royal Ensignes, Crown, Scepter, Spurs, Rings, and golden chains are all ta-
 "ken. *Bernard Rothman* the Author and Ringleader of this Sect was slain
 "and cut in pieces with a pollax: The Anabaptists goods were all confiscate
 "and sold, to recompence the dammages they had done. *John* of *Leyden*, their
 "King, *Knipper Dolling*, and *Bernard Creeching*, the heads of the Sedition, were
 "brought to a Scaffold in the midst of the Market-place, and there in the sight
 "of the people had their flesh torn from them with hot pinchers for an hours space
 "or more, and then stabbed and run through with swords, and their carcasses put
 "into new cages, and hanged upon the top of Saint *Lamberts* steeple, the King
 "according to his royal dignity, hanging higher then the Consul and the Prophet.
 "After

"After which 150000. of this seditious and pernicious Sect were slain through
 "Germany, Alsacia, and Stiria, and rebaptized in their own blood by the
 "just hand of divine vengeance executed by men, as Gods instruments. **Servetus*
 "an Anabaptist, and an Arian, as an Arian, received the sentence of death at *Histor. de*
 "Geneva; *Phiser* at *Mulhus*: *Thomas Muncer* was put to the rack by *George* *morte Serveti.*
 "Duke of Saxony and the Lantgrave of Hesse, where he roared most fearfully,
 "and in the end had his head cut off, and put upon an high pole in the field. Three
 "hundred Anabaptists that risled the Monastery of *Bilsund* in *Friesland*, were all
 "but sixty two that fled, either killed in the ruines of the Monastery, or put to
 "death by the hangman. Into what most execrable practises, cruelties, out-
 rages, Tyrannies, Murders, impious and detestable opinions, Heresies, Blasphemies
 of all sorts, these Anabaptistical Sectaries out of a pretended Zeal and Sepa-
 ration fell into by Gods just Judgement for their Schism, Hypocrisy, and Spi-
 rituall pride, and what dismal ends the Ringleaders of them came unto by the
 hand of publick Justice, their followers and all others may read at large in
Chytræus Chron. Saxonis l. 12. 14. *Sleidans Comment.* l. 5. 10. *Joan. Wis-*
lingius, de Anabaptistis: Bullinger advers. Anabaptistas: Guide Bres, Contre
les Anabaptistes: Jo. Gafsius de Exordio Anabaptistarum, &c. Pontanus; Cata-
logus Hæreticorum: Doctor Daniel Featly his Dippers Dipt: Master Robert
Bayly his Anabaptism, &c. and his Disswative from the Errors of the times: Mr
Edwards his Gangranaes: Spanhemius Diatribe Historica, De Origine Progressu,
Sectis &c. Anabaptistar: Joannes Assuerius Ampsingius, Disputationes advers.
Anabaptistar: Hartmannus Springelius, de Hodiernis Hæresibus & Hæreticis:
Conradus Shireffime Vergent, Hæreticorum Catalogus. Conradi Hæresbachii:
Historia Anabaptistica: Una cum Notis Theodori Strackii, & Lamberti Hor-
tensii: Cloppenburgii Gangrana Anabaptistica. Nicholaus Blesdakinus Historia
Davidis Georgij: with others who have written of and against the Anabaptists;
 the ignorance of whose abominable Errors, Dispositions, Blasphemies, Seditions,
 Heresies, Vices, and their late impunity, is the only cause of their dangerous in-
 crease. *Theodoret. Eccles. Hist. lib. 5. cap. 7.* Mustering up the names of the
 Ringleaders of the Arian Hæresy, and the Seedsmen who sowed its tares in the
 Eastern parts, and then watred and fostred them: adds this as the main reason of
 this Heresies dangerous growth: *His malis Agricalis subsidio fuit CUM NI-*
MIA CONSTANTIJ FACILITAS, *tum improba Valentis ne-*
quitia: I pray God, the overmuch connivance and indulgence of most,
 and underhand countenancing of some in Authority of the Ringleaders of this
 dangerous faction do not nourish such a venomous Cockatrice in our bosome as
 may sting our Church, State, Parliament, Magistracy, and Ministry to death
 ere long; and may yet be crushed (though not in the shell) by speedy and just
 severity; as it was in former times, not only in Germany and other foreign
 parts, but even in ENGLAND; some of this Sect of Anabaptists being
 "burned in *Henry* the eighth and *Queen Elizabeths* Reign, and the rest
 "banished; of which more anon. These severe prosecutions against them here-
 tofore, and many other of like nature since, even by Protestant Princes, Magi-
 strates, shews how dangerous this Sect is now, and may make all wary how
 they revolt unto them.

h *For AGs &*
Monuments
vol. 2.
Hollinshead &
Stow An. 17.
& 2. Eliz.

To passe from these and come somewhat nearer home: I find among the Statutes of Scotland sundry Acts made against Idolatry, Popish Masses, Apostacy, Seminary Priests, Jesuites, and Noncommunicants, punishing them with pecuniary and other corporal, and capital punishments, and with banishment, as James 8. Parliament 1. c. 2, 3. 5. Parl. 3. c. 1. 45, 46. 53. Parl. 7. c. 106. Phrl. 10. c. 24. 27. Parl. 12. c. 120. Parl. 13. c. 60. Parl. 14. c. 193. Parl. 16. c. 17, 18. Parl. 19. c. 1, and the 2. Parliament of King Charles, Session 1. Act. 4. which you may find in *Regiam Maiestatem*, and their Statutes at large: Their recital I omit for brevity sake; having more largely insisted upon them in my *Truth triumphing over Falshood, Antiquity over Novelty*: Wherein I have fully vindicated the Parliaments Legislative Power in all Ecclesiastical matters, by Presidents in all ages both forraign and domestick; to which I shal refer the Reader for full satisfaction in that particular *Controversy*, there copiously debated; and therefore shal not here insist upon it.

I now proceed to Domestick Presidents, & Laws of our own, which are very full to the point in question: in which I shal be a little more copious for the informing and satisfying others of my Profession, and the encouraging of them to put the very ancient Common Law of *England* in execution for the future against Hereticks, Apostates, Blasphemers, Anabaptists, and other obstinate Separatists.

I shal for my more methodical proceeding herein, in an historical manner begin with the first proceedings and punishments against Hereticks in this our own Island, long before Popery crept in upon it; and then proceed to Laws and Punishments in succeeding times as well under our Popish as Protestant Princes: And shal likewise clear it to every mans judgement; That Heresie, Apostacy, Blasphemy, and Schism, as they are Criminall and Capitall, are properly tryable onely by way of Inditement at the Common Law in the Kings temporal Courts; before his Temporal Iudges; not in Bishops Consistories, (who usurped the sole Iurisdiction and Cognizance of Heresie by degrees at last, whereas they were only consulted with by godly Princes by way of advice, counsell, or assistance, at first; to help inform their consciences and judgments, what ought to be reputed Heresy, or Blasphemy; and that usually in general or National Councils); and that those who are guilty of these may as legally be tryed before our Iudges now, as Seminary Priests and Iesuits, against whom the Convocation & Bishops in their *Consistories* never as yet Criminally proceeded, as they did formerly against Heretiques; but only the Common Law Courts, which both convict, arraign, condemn, and execute them too, as such.

How

How Heretickes have been heretofore and may now be proceeded against in our own Realme, I shall give you a breife Account.

The first Heresie I read of that infected and infested this our Island was the

(a) *Arrian*, *que, corrupto orbe toto, hanc etiam insulam, extra orbem tam longe remotam, veneno sui infectis erroris: Et hac quasi via pestilente itans Oceanum patefacta, non mora, omnis se lues Hereseos cupisque, Insula NOVI SEMPER ALIQUID AUDIRE GAUDENTI, ET NIHIL CERTI FIRMITER OBTINENTI*, infudit, writes our venerable (b) *Beda*. This Heresie sprung up in the time of *Constantine the Great*, (who was crowned Emperor in *Britain*) and was condemned in the *Council of Nice*. And it, together with the Heresies of *Novatian*, *Valentinian*, *Pautus*, the *Marcionists*, *Catharygians* and others which crept in with it, were punished by this (c) *Emperor Constantine* with *BANISHMENT*, and by his *Edict* all their meetings were suppressed, and the places wherein they met, confiscated: after which (d) the *Arrians* in *Britain* were removed from their stations by the *Emperor Constantine*.

The next Heresie (which grew up at home among us) was that of (e) *Pelagius* (alias *Morgan*) a *Britton*, *Abbot of Bangor*, in the reign of *Theodosius* and *Honorius*; which spreading it's poison far and neare; *Honorius* and *Theodosius* the *Emperors* by their *Edict*, commanded *Pelagius* and *Celestine* his companion, to be apprehended where ever they should be found by any man what soever, and to be accused and brought to publick audience by any, and by publick sentences to be condemned to *INEXORABLE BANISHMENT*, to preserve others from infection: And our learned (f) *Bale* out of *Walden*, affirms, that *Pelagius* was *BANISHED* this *Island* by his *Britons* for his Heresy and hereticall Books.

This (g) Heresy of his reviving again in *Britain*, there was a *Synod* assembled at *Verolam* Anno 446. whereunto a multitude of men and women resorted, where *Germanus* and *Lupus* (two *French Bishops*) so refuted *Agricola* and his confederates, that they silenced them quite. Whereupon the people could hardly hold their hands from pulling them in pieces: *Et post diem illum, ita ex animis omnium prestigiosa illa superstitio deleta est; ut sacerdotum & ipsorum orthodoxorum Doctrinam sitientibus desiderijs amplexerentur*. After which this (h) heresie sprouting up again in the year 449. *Germanus* and *Severus* coming hither out of *France* to suppress it, there was another *Council* assembled, wherein the Authors of this revived heresy were inquired after, and being found, were condemned and *BANISHED* the *Island* by the generall sentence of all. *Omniumque sententia pravitate auctores qui erant EXPULSI IN SVLA, sacerdotibus adducuntur ad mediterranea deferendi, ut & regio absolutione, & illi EMENDATIONE fruerentur: factumque est ut in illis locis multo ex eo tempore fides INTEMMERATA PERDVARET*. This was the happy issue of these Hereticks banishment, that religion from that time continued uncorrupted, and this *Island* was thereby freed from the *Pelagian* heresie for many ages after.

Anno Dom. 630. (i) *Theodor* *Archbishop* of *Canterbury* being a *Græcian* borne, hearing that the *Church* of *Constantinople* was very much troubled with the heresy of *Eutiches*, to preserve the *Churches* of *England* free from that infection, assembled a *Council* at *HEDTFELD*, of many *Priests* and learned men, wherein they made a *Confession* of their Faith concerning the *Trinity*

and Unity, and declared their assents to the generall Councils of Nice, Constantinople the first and second, Ephesus, Calcedon, and of Rome under Martin; whereby he prevented the heresies condemned by them from springing up in this Isle. A good effect of this Synodall Assembly.

Rerum Anglic. l. 2. c. 13.

Note.

(k) *Gulielmus Nubrigensis* records, that in the reign of King Henry the 2. (about the year of our Lord 1161.) certain erroneous persons, commonly called *Publicanes*, came into England. These having their originall heretofore out of *Gascoigne* from an uncertain Author, infused the poyson of their misbeliefs into divers Countries; for in the most ample Provinces of France, Spain, Italy and Germany, so many were said to be infected with this pestilence, that they seem'd to be multiplied more then the sand on the Sea-shore in multitude. Finally, whilst the Prelates of Churches, and the Princes of Provinces proceeded more REMISLY against them, the most wicked foxes creep forth out of their dens, and by seducing the simple with a pretended show of piety, demolish the vineyard of the Lord of Hosts, TANTO GRAVIUS QVANTO LIBERUS, so much the more grievously by how much the more freely: but when as the zeale of the faithfull is kindled against them with the fire of God, they lye hid in their Dens, and are lesse hurtfull, but yet they cease not to hurt by scattering their hidden poyson. They were rusticall and illiterate men, and therefore dull to reason; but having once drunke down that poyson, they were so infected, that they grew stiffe against all discipline; whence it very rarely happens that any one of them, when being discovered they are drawn out of their dens, is converted to piety. Verily England alwaies continued free from this and all other hereticall plagues, when as so many heresies sprung up in other parts of the world. And truly this Island while it was called Britaine from the Britons who inhabited it, banished out of it *Pelagius*, who became an Arch-heretick in the East, and in proces of time admitted his error into it selfe; for the destruction whereof the pious provision of the French Church, directed *St. German* once and again hither. But since the English Nation, the Britons being expelled, possessed this Island, so as it was no more called *Britannia*, but *England*, the poyson of no hereticall plagues hath sprung out of it, nor yet so much as entred into it, so as to propagate and spread it selfe, untill the time of King Henry the 2. Then also by Gods mercy, the plague which had there crept in was so withstood, that from thenceforth they feare to enter into it. Now there were little more then thirty both men and women, who dissembling their error, came in hither as it were peaceably, for to propagate their plague, one *Gerard* being their Captain, upon whom they all looked as their Teacher and Prince; for he alone was somewhat learned, but the rest were without learning and ideots, meer impolished and rustick men, of the Teutonic Nation and language. Abiding some little space in England they gathered to their congregation only one little girle, circumvented with their poysonous whisperings, & bewitched (as was said) with certain enchantments. But they could not long lye hid, for some curiously discovering, that they were of a strange sect, they were thereupon apprehended and kept in the publike prison. But the King not willing either to release them or condemne them without examination, commanded a Council of Bishops to be assembled at Oxford; Whereupon they were solemnly

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solemnly convented concerning Religion: He who seemed to be learned taking upon him the cause of all, and speaking for all, answered, that they were Christians and embraced the Apostles Doctrines. Being interrogated in order concerning the Articles of holy faith, truly they answered rightly concerning the substance of the Supernall Physitian, but spake perverse things concerning his remedies, whereby he vouchsafes to heal humane infirmity, to wit, of the divine Sacraments, detesting holy Baptisme, the Eucharist and Marriage, and derogating from THE CATHOLIKE UNITY in a nefarious bold manner, which those divine helpes do make up. Being admonished to repent, and TO UNITE THEMSELVES TO THE BODY OF THE CHURCH, they contemned all wholesome counsell: Threats also, that they might repent even for fear, they derided, abusing that saying of the Lord; Blessed are they who suffer persecution for righteousness sake, for theirs is the Kingdome of Heaven. Then the Bishops taking care that their hereticall poison should spread no further, pronouncing them publikely to be heretickes, & corporali discipline subandos Catholico Principi tradiderunt, delivered them over to the Catholike Prince to be punished with corporall punishment: Who commanded an hereticall character to be branded on their foreheads, and being publikely whipped in the sight of the people, to be expelled the City; strictly charging, that no man should presume either to lodge them in his house, or give them any solace. The sentence being pronounced, they were led to the MOST JUST PUNISHMENT, rejoycing; not with a slow pace, their Master going before and singing; Blessed shall ye be when men shall hate you; so much did the seducers then abuse the minds deceived by him: Truly that girle they had deceived in England, departing from them for fear of punishment, confessing her error, obtained reconciliation: but that detestable Colledge with cauterized foreheads was subjected to JUST SEVERITY; he who was the chiefe among them, for the honor of his Mastership, suffering the infamy of A DOUBLE BRANDING, to wit IN THE FOREHEAD & ABOUT THE CHIN: and their cloathes being cut off unto the girdle, they WERE PUBLIKELY WHIPPED and cast out of the City with resounding stripes, and miserably perished with the intolerableness of the cold (for it was Winter,) no man showing them so much as the least pity. The PIOUS RIGOR OF THIS SEVERITY not only PURGED the Kingdome of England of that Plague which had already crept into it, BUT ALSO PREVENTED, THAT IT SHOULD NO MORE CREEP INTO IT, BY THE TERROR STRUCK INTO THE HERETIKES. So our Nubrigensis, whose words I have faithfully englished.

The forraign Sectaries thus severely punished, were no other then professed Anabaptists and schismatickes; pronounced hereticks for their obstinacy. Their punishment was harsh, yet deemed just and necessary in those times; and it had this good issue, which may induce us now to a fitting and just severity against obstinate Hereticks, Schismaticks, Blasphemers, Anabaptists; it suppressed the spreading of their pestilent Errors for the present in England, and preserved it safe from their infection for the future; Timely and discreet Flebotomie is ever the best cure against this Gangrene of obstinate Schisme and Heresie. Only this I shall observe by the way, that these Anabaptists (for ought I find) ne-

ver pretended, that the King and civill Magistrates had no power to punish them for matters of Religion, as our Anabaptists and Sectaries now plead and write.

The finnes of *Heresy* and *Apostacy* were so odious in this our Realm, that by the very ancient *common Law* of England they deserved & were punishable with death, yea the soarest death of all others, BURNING; as being no lesse then (d) *High Treason* against the King of heaven; and (m) *Graviss est aternam quam temporalem ledere majestatem.*

That these were thus punishable by the very common Law of England before the Statute of 5. R. 2. Stat. 2. c. 5. (n) surreptitiously procured without the Commons assent, and repealed the next Parliament) or the Statutes of 2. H. 4. c. 15. and 2. H. 5. c. 7. is apparent unto me, by the Authority of our ancient Law Bookes.

I read in *Bracton*: 1. 3. c. 9. f. 123, 124. (who writ in King Henry the 3. his reigne,) That if a Clergy man be convicted of Apostacy, he shall be for it deprived, and afterwards, per manum laicalem COMBVRATVR, he shall be burnt by the hands of Laymen, as it hapned in the Councell of (o) Oxford under Stephen Archbishop of Canterbury, to a certain Deacon, who became an APOSTATE for a certain Jew, who when he had been degraded by the Bishops, statim fuit IGNI TRADITUS per manum laicalem, he was presently delivered to the fire by Lay hands: And c. 23. f. 144. b. The Jewes may circumcise their owne sonnes, but not a man of another religion, for if they do it, they shall be gell, by way of punishment.

I read, that in the (p) Councell held at Oxford An. 1222. in the 6. year of Henry the 3. under Stephen Archbishop of Canterbury, "an execrable Impostor was convented before him, who suffered himselfe to be wounded in his hands, feet and side, that by the resemblance of these bloody impressions he might perswade the people he was their Saviour: who being condemned by the Councell was immured between two walls, as a Monster too impious and unworthy to dye by humane hands: and another who pretended her selfe to be Mary the mother of Christ, and a third who pretended her selfe to be Mary Magdalen, were immured with him; Matthew Paris, Matthew Parker and others write, that they were crucified. And (q) Mat. Paris, relates, that Grossthead Bishop of Lincoln lying on his deathbed An. 50. of Henry the 3. pronounced the Pope to be an Heretick, and the Friars, Nunnes and Preachers also to be Hereticks, for not opposing, but favouring him; and concluded thereupon with R. m. 1. verse last, qui talia agunt & consentiant DIGNI SUNT MORTE. Therefore in those daies Hereticks were deemed worthy to dye, (as well temporally as eternally) which confirms, that in his time Hereticks deserved to be put to death.

John Britton Bishop of Hereford, Doctor both of the civil and canon Law, who writ a Book of the Lawes of England then in use, about the 5. year of King Edward the first, by the Kings command, lib. 1. cap. 9. De Arsons; (or perburned houses in times of peace,* and were therof convicted, shall be burned, so as they shall be punished by the selfesame thing wherein they offend: And THE SAME

JUDGE-

1 Hornes myrrour of Iustices. c. 4.

m Cooks 3.

Institutes. cap.

5. of heresie,

p. 43.

n Fullers Argument. Fox

A&S and Mo-

numents. vol.

3. p. 575, 576.

m Cooks 3. In-

stitutes. p. 40,

41.

n See Antiq.

Ecclef. Brit. p.

152 according-

ly; flammi ab-

sumptus est.

p Matth. West.

An. 1122. Mat.

Parker. Antiq.

Ecclef. Brit. p.

152. Walsin-

gham Ypo-

crit. Neutr.

An. 1222

Speeds Hist.

p. 596. Poly-

chron. 1. 7. c. 34

Holinshed,

Stow, and o-

thers, An. 6.

H. 3.

q Hist. Angl. p.

846, 847.

* fol. 16. b.

JUDGEMENT have Sorcerers, and Sorceresses, and Sodomites, and MISCREANTS (or HERETICKS) openly attainted; who are to be enquired after. And this was no new Law, as appears by the preamble of the King to this Booke, but *, *les leys que l'en ad use en nostre Roialme AVANT SES HOVRES*: Therefore it is cleare by this Authority, that the burning of Hereticks was in use before this Kings reigne, (though we find few or no precedents of it) and inquirable by the Justices, and other temporall Officers of the King, as *Briston* writes in this chapter, but not by the Bishops and Clergy, further then to Excommunicate them.

fol. 1.2.

Andrew Horne in his *Myrrour of Justices*, written in the end of King *Edward* the first, or at least in King *Edward* the second his reigne; hath these severall passages concerning Heresy and its punishment, as Chap. 1. Sect. 4. p. 21, 22, 23, where speaking of Crimes and their Division, &c. of the Crime of Treason, he writes thus: "Crime of Majesty (or Treason) is an horrible sinne done to the King; and this is either to the KING CÆLESTIAL, or Terrestriall, Against the King of heaven in three manners, by HERESY, Sorcery, Sodomy: HERESY is an evill and false beliefe arising from Error in the right Christian faith: In this sinne is Sorcery and Divination, which are members of heresy; and arise from an evill beliefe. After which he enumerates the severall sorts of Sorceries and Divinations, contrary to the Law of God and the Church, and to the right faith, for which they are to be apprehended and removed from among the people of God, that so no good Christian may be taken with their act, nor partner with their sinne. Chap. 2. Sect. 22. p. 141, 142. he writes thus. Of the Crime of Treason or Majesty, there is no especiall or large Enditement, but OF HERESY, and Sorcery: Of which if any be indited and drawn into judgment, this is the Inditement, pronounceable for the King by any of his people in this manner, according as it is found IN THE ROLLES OF ANCIENT KINGS. * I say *Sebourne* here is defamed by good people of the THE CRIME OF HERESY, for this, that from an ill art and beliefe forbidden, and by charmes and enchantment, he took from *Brightient* by name, on such a day, &c. the flower of his beare, by which he lost the vent, &c. Or thus: *Molling*, who is here, is defamed by good men, that on such a day, &c. he renounced his baptisme, and caused himselfe to be circumcised and became a Jew or Saracen; or offered or sacrificed unto Mahomet in despite of God, and in damnation of his soule, and this sinne he did FELONIOUSLY, &c. And if he will deny it, I am ready to prove it for the King, as belongs to the King to do; Chap. 4. Sect. 11. p. 42. he defines, that deadly sinnes are to be punished with death; and mortall paine; and that such punishments are warranted by the old Testament, and to be inflicted to prevent eternall death. After which Sect. 14. p. 252. Of the punishment of Treason; he determines thus: That Sodomy is to be punished, with burying the party alive under ground; Sorcery by burning in the fire. The JVDGEMENT OF HERESY is fourfold; The 1. is Excommunication; the 2. Degradation; the 3. Disinheritance; the 4. *dec* A R S E en Cinders; TO BE BVRNED TO ASHES.

* The forme of an Inditement against an heretic, and sorcerer in ancient times.

By this punctuall Authority of *Horne*, it is most cleare to me. First, that Hereticks and Apostates, as well as Sodomites and Sorcerers, even as they were Hereticks, were indigable and triable at the Kings suite in the King Courts by the

See Cooke 3.
Institutes. cap.
5. of Heresie,
p. 41, 42. and
Keyser and
Warner's Cases
there cited.
10. H. 7. 17.
Old book of
Entries. f. 264.
340. accor-
dingly.

Note

f Preface to
the 10. Report

very common Law of England, without any precedent conviction of Heresie by the Ordinary of the Diocese, or by a Nationall or Provinciaall Synod, and that the Judges of the common Law, when any Heretick or Apostate was to be proceeded against criminally and capitally for his life; were to judge, what was Heresie and what not, not the Bishops, or Synod only, as well as in the case of a (r) Prohibition or Habeas Corpus. 2. That such Inditements were usuall, and a set forme of them used and pursued in Edward the first his raigne, and were then to be found in the Rolls of ancient Kings, long before him: therefore were then of long, of ancient use, and warranted by the ancient common Law of England before his raigne: 3. That the Bishops and Clergy could punish heresie onely with Excommunication and Degradation, not with death. 4. That by the ancient Common Law of England in Edward the first his reign, and in the reigne of ancient Kings before him, Heresy as heresy; and Sorcery onely as Heresie and a branch thereof, and under the name of heresy, was indictable in the Kings Court at the Kings suite, and punished with burning to death: and so the writ *De Heretico Comburendo*, (if necessary when grounded upon the Judges sentence) warranted by the common Law, and the judgement of burning given by it, long before any Statute made against Heresy in the reigne of Richard the second, or Henry the fourth. 5. That Hereticks and Apostates who are such indeed, may at this day be indicted for their heresy and Apostacy in the Kings Bench, or at the Assises, by the very common Law of England; and upon sufficient proofes be there convicted, condemned and adjudged to be burnt; this power of the Judges at common Law to try and condemn Hereticks, being not now restrained by any Statute, nor taken away by the Statute of 1. Eliz. cap. 1. which repeales all former Statutes against Hereticks, or Heresy, which only concerned Bishops, Ordinaries, and their proceedings in case of Heresie grounded on them, not the King or his Judges.

The next Authority I shall cite, is that of *Fleta*, written by a learned Lawyer imprisoned in the Fleet (as (f) Sir Edward Cooke informes us, in Edward the third his raigne, and taken for the most part out of *Bracton*) lib. 2. cap. 3. *Christiani Apostata, Sorilegii, & hujusmodi, DEBENT COMBURI: Contrahentes vero cum Judais vel Judaeis, pecorantes, & Sodomites, in terra vivi confodiantur, per testimonium legale vel publicum convicti.* A cleare Authority, that Apostates, (which comprehends all such as fall into Heresy, Judaisme, or Paganisme, after they have embraced the true Christian orthodox faith.) South-sayers, and such like (which comprehends Hereticks likewise) OUGHT TO BE BURNT, even by the common Law then in use; and that Christians, who turned Jewes, and Sodomites, were to be buried alive.

After this Wickliffe and his followers (called Lollards) infesting the Pope and Prelates with their Doctrines and invectives against their Antichristian Tenets, and impostures, they being greatly favored by some Nobles and eminent Knights, about the end of the reigne of King Edward the 3. and beginning of Richard the second, the Prelates bearing then great sway in the Kingdome, not daring to trust the Judges with the Triall of these New Hereticks (as they stiled them) taking hold of the President in the Countell at Oxford in King Henry the seconds raigne, forecited, and of the practise of the Pope, and Popish Prelates

Prelates in forraign parts took upon them in their Synods, Convocations, and likewise in private Consistories to condemne these *Lollards* for hereticks, and upon their sentence there passed, without any Inditement or triall at the common Law, procured a writ (which they might easily do being then Lord Chancellors and Lord Privie Seales for the most part) *De Heretico comburendo*, to be directed in the Kings name to the Sheriffes of Counties and Mayors of Towns, to burn such for Hereticks whom they alone had thus condemned (before there was any Statute) chiefly upon this ground, that hereticks by the judgment of the common Law, upon Inditements and Convictions in the Kings Courts, were to be burned. This is evident not onely by the Bishops proceedings in their Consistories against (r) *John Wickliffe*, *John Aston*, *Philip Rypington*, *Nicholas Harford*, *William Swinderby*, and *Walter Brute*, but also by that forme of writ, *de Heretico Comburendo* mentioned in (u) *Fitzherberts Natura Brevium*, f. 269.c. which was made (x) in Parliament by the King and Lords, for the burning of *William Sautre*, a godly Martyr, condemned of heresie in the Convocation at the earnest solicitation of *Thomas Arundel* Archbishop of Canterbury, in the 2. year of King *Henry the fourth*, and burned by vertue of this writ; the first Martyr we read of burnt by vertue of such a writ, granted, meerly upon a sentence given by the Prelates themselves, without an Inditement and Judgment at Common Law. This writ for his burning (made without the Commons) is thus translated into English by (y) Mr. Fox.

"The King, &c. to the Mayor and Sheriffs of London, greeting; (j) Where-
"as the reverend Father *Thomas* Archbishop of *Canterbury*, Primate of En-
"gland and Legate of the Apostolike Sea, by the assent, consent and counsell
"of other Bishops & his Brothers Suffragans, and also of all the whole Clergy
"within his Province gathered together in his provinciall Conncell, the DUE
"ORDER OF LAW BEING OBSERVED in all points in this
"behalf, hath denounced and declared by his definitive sentence, *William*
"*Sautre*, sometimes Chaplaine fallen again into damnable heresie the said
"*William* had abjured, thereupon to be A MOST MANIFEST HE-
"RETICK, and therefore hath decreed, that he should be degraded, and
"hath for the same cause degraded him from all prerogative and priviledge
"of the Clergy, decreeing to leave him unto the secular power, and hath
"really so left him, ACCORDING TO THE LAWES AND CANONI-
"CALL SANCTIONS SET FORTH IN THIS BEHALFE. (z) We there-
"fore BEING ZEALOVES IN RELIGION, and REVEREND LOVERS
"OF THE CATHOLIKE FAITH (and of Justice) willing and minding
"to maintain and defend the holy Church, and the Lawes and Statutes of
"the same, TO ROOT ALL SVCH ERRORS and HERESIES
"OUT OF OUR KINGDOME OF ENGLAND (as much
"as in us lies) and the hereticks to convicted to punish WITH CON-
"DIGN PUNISHMENT: and considering that such hereticks con-
"victed and condemned in forme aforesaid, both ACCORDING TO THE
"LAW OF GOD AND MAN, AND THE CANONICALL INSTITU-
"TIONS IN THIS CASE ACCUSTOMED, OUGHT TO BE BURNED
"WITH FIRE; We command you as straitly as we may or can, firmly in-

joyning

For Acts & Monuments. Vols. Edit. 1. ult. p. 164. c. 680. 10. Report.

See 1. H. 4. Rot. Parl. m. 8.

9 Acts & Monuments. vol. 1. p. 675.

See M. Foss Acts & Monuments the oldest Edition. 142. 1676. the like Writ in Latine.

2 Nos. in the Regulator Justitia, & Fili Catholica cultor, &c.

* This relates to our ancient Common Law. Note.

“ joyning you, that you do cause the said *William* being in your custody, in
 “ some publike and open place within the Liberties of your City aforesaid
 “ (the cause aforesaid being published to the people) TO BE PVT IN-
 “ TO THE FIRE, and IN THE SAME FIRE REALLY TO
 “ BE BVRNED, to the great horror of his offence, and the manifest ex-
 “ ample of other Christians; and this upon the perill that will fall thereupon,
 “ you may by no means omit. *Teste Rege apud Westm. 26. Febr. Anno Regni*
sui 2. This condemnation of *Sautry* and writ for his burning was in time be-
 fore the Statute of 2. H. 4. passed in Parliament, and was made, by advise of
 the Lords Temporall in Parliament only, without the Commons, as the Par-
 liament roll demonstrates. Soone after which one (a) *John Badby* was like-
 wise burned by vertue of a like writ; and sundry others after him.

(a) See Fox
 A&C. & Monu-
 ments Vol. I.
 p. 681.

From this writ I shall observe: First, that by the Canonick Law and San-
 ctions generally used and received in England and in forraign parts, Bishops
 both in their Synods and Consistories usurped authority to convict & condemn
 Hereticks, and deliver them over to the secular power to be corporally pu-
 nished; which is further cleared by the expresse words of the Statute of 2. H.
 4. cap. 15. but they could neither attach nor imprison them before that Act
 in this Kingdome. 2. That the burning of Hereticks with fire, was not in-
 troduced by the Statute of 2. H. 4. or this writ then first made by advise of the
 Temporall Lords, but was a punishment accustomed in this case, according to the
 Law of God and man, and canonick institutions used in this Realme, long before
 this Act made, as the very words of the writ, compared with this Statute of 2.
 H. 4. made in Parliament in the same yeare, soone after this Writ, at-
 test. 3. That this writ framed in Parliament for *Sautry* onely, not
 others (made in time somewhat before this Statute, the same Parliament)
 makes no recitall at all, of this Statute, as it ought to do, if grounded on it: ther-
 fore not ordained by it. What alterations then did this Statute make of the Law
 in former times used in this case? only these. First, it gave power to Ordinaries
 and Diocesans to cause to be arrested and kept in safe custody such who were sus-
 pected or defamed of Heresy, or keeping hereticall Bookes and writings; till they did
 canonically purge themselves, or abjure their heresies: 2. It gave them power
 to fine such persons to the King: 3. If any person convicted before them of he-
 resie refused to abjure his Heresy, or relapsed againe into it after abjuration, it
 gave them Authority to turne him over to the secular Court, and after sentence
 of Heresie passed against him, in the presence of the Sheriffe of the Shiere, or Mayor
 or Sheriffes and Bayly of the Corporation, where such Heretick was proceeded
 against (whom this Act enacted; the Diocesan or his Commissary to summon to
 be personally present at the sentencing of Hereticks) it enjoyned these secular
 Officers to give assistance to the Diocesan of the same place and his Commissaries
 in this case, and without any farther Inditement, triall or judgement at common
 Law (formerly used in cases of heresie when capitally proceeded against) after such
 sentence pronounced (without any Writ de Haretico Comburendo) to receive
 the same person so sentenced into their custody, and to cause him to be burnt in an
 high place before the people, that such punishment might strike feare into the minds
 of others, to deterre them from such wicked Doctrines and hereticall erro-
 neous

nious opinions; and the said Sheriff, Mayors and Bayliffs of Counties, Cities, Burroughs and Townes, were to be attending, ayding and assisting to the Diocesans and Commissaries in such cases; which they were not bound to be before, as appears by the expresse words of the Act.

4ly. It gave every Bishop and his Commissary power, to question and condemne Hereticks in their Consistories, and then to deliver them over to the secular powers to be burned, which none but a Synod or Convocation (for ought appears by any Presidents) could do before. So as the main operation wrought by this Act was, That these temporall Officers were to be attending, ayding and assisting to the Ordinaries and their Commissaries, and present at their sentence given against Hereticks; and after sentence passed by them alone, without any indictment, Iudgement, verdict at Common Law, or Writ of the Kings, to burne them to Ashes; by which the lives of all were made subject to the Convocations, yea to every Ordinaries and Commissaries power alone, and that without and before any lawfull triall by their Peers, or any legall indictment or conviction according to the Law of the Land, contrary to *Magna Charta*, ch. 29. 5. Ed. 3. c. 9. 25. E. 3. Stat. 5. c. 4. 28. E. 3. c. 3. 15. E. 3. Stat. 1. c. 3. 4. 37. E. 3. c. 18. & 42. E. 3. c. 3.

This was the great grievance introduced by this Act, and the cause of its repeal, and of all other Statutes of this kinde, by 1. Eliz. c. 1. So as this Statute of Hen. the fourth was no introduction of a new Law, but only a confirmation of the Common Law, as to the punishment it selfe of burning Hereticks, as is evident by the premises; though introductive of a new Law in the manner of proceeding and other precedent respects: And in this sence (b) Mr. Fox his words are true; *That hitherto, (viz. till the making of 5. R. 2. & 2. H. 4. The Popish Clergie had not authority sufficient by any Politick Law or Statute of this Land, to proceed unto death against any person whatsoever in case of Religion, but only by the usurped tyranny and example of the Court of Rome.* [b] Acts and Monuments p. 575. 576.

But yet the King and his Iudges had power to proceed against; imprison and burne Hereticks to death, by the Common Law, though the Ordinary had not (as I have proved) This law gave the Ordinaries and Clergy a new power in this respect, to condemne and burn such as they held Herticks, which they had not before: Hence (c) the Pope sent his Letters to King Richard the second to suppress *Wicliffe* and his followers, and bring them to condigne punishment, and to be assistant to the Bishops herein, *qui in prosecutione istius negotij noscuntur favore & AVXILIO TVÆ CELSITVDINIS INDIGERE*; Whereupon the King writ Letters to the Vniversity and Chauncellor of Oxford, to apprehend, imprison, and convict them for their tenents, which they could not doe but by this royall command, by any Ecclesiasticall Iurisdiction then in use.

Fitzherbert a learned Iudge in his *Natura Brevium* (written in Henry the 8. his Raigne,) fol. 269. determines thus. 'Note it appears by *Britton* in his Booke, that Hereticks shall be burned; and it appears by that Booke, THAT THIS IS THE COMMON LAW. But Note, that the person who shall bee burnt for Heresie, ought to be first convicted thereof by the Bishop, which is his Diocesan, where he abides, & abjure the same, & after if he relapte into this Heresie, or any other, & be condemned thereof in the said Diocesse, then he shall

[c] Walsing. h. Hist. Angl. p. 201. to 220. Fox Acts and Monuments, p. 564. to 582.

'be delivered to the secular power by the Clergy, to do with him as the King shall please; and then it is like the King may pardon him, if he will, or grant a Writ *De Heretico comburendo* to burne him. Then reciting the ancient forme of the Writ forecited, he proceeds thus: And by this Writ it appeares, that a Man ought to be convicted of Heresie by the Archbishop and all the Clergy of his Province & abjured of the same, and after newly convicted & condemned by the Clergie of his province, and that in their generall Councell of Convocation; But now by the Statute of 2.H.4.c.15. it is ordained, that any Bishop in his Diocesse may convict a man of Heresie and abjure him, & after relapse newly convict & condemne him thereof, and warne the Sheriffe or other Officer to take and put him into the fire, &c. and this the Sheriffe or other Officer ought to do by the Bishops precept, and that ~~without any Writ to be directed to them~~ By the King to doe it. And this is the cause (as it seems) that this writ is not put in the new Registers, because this writ will not serve, nor ought to be sued at this day: but it is void, and nul in Law, by reason of this Act. But now by the Statute made in 25.H.8.c.14. this Statute of 2.H.4 is repealed and made voyd, and now it is ordained by this last Statute, that he who is abjured of Heresie and after falls in relaps, and is convicted of it before the Ordinary, that yet the Ordinary ought not to commit him to the lay power to burne him, without the Kings writ, *De Heretico comburendo*, first purchased thereupon, as appeares by the said Act more at large.

Sir Ed. Cooke in the 3d. Part of his *Institutes*, c.5. p. 39.40 41. writes; that it appeareth by *Bracton, Britton, Fleta, Stamford*, and all our *Bookes*, that hee that is duly convicted of Heresie, **shall be burnt to death** (even by the Common Law:) That the Diocesan hath Jurisdiction of Heresie; and so it hath bin put in ure in all (d) *Queene Elizabeths* Raigne; and accordingly it was resolved by *Fleming* Chiefe Justice; *Tanfield* chiefe Baron; *Williams* and *Crooke* Justices, Hil. 9. Jac.R. in the case of *Legate* the Hereticke, that upon a conviction before the Ordinary of Heresie, the writ *De Heretico comburendo* doth lie. The Ecclesiasticall Iudge at this day cannot commit the person that is convicted of Heresie to the Sheriffe, albeit, he be present, to be burnt, but must have the Kings writ, *De Heretico comburendo*, According to the Common Law; For now all Acts of Parliament are repealed. And the reason why Heresie is so extreame ly and fearefully punished is, for that, *Gravius est eternam quam temporalem ledere majestatem*. The party duly convicted may recall and abjure his opinion, and thereby save his life, but a relapse is fatal. For as in case of a disease of the Body, after a recovery recidivation is extremely dangerous; So in case of Heresie (a disease of the soule) a relapse is incurable. And as he who is a Leper of his body is to be removed from the society of men, least he should infect them, by the Kings Writ, *De Leproso amovendo*: So he that hath *Lepram animae*, that is, to be convicted of Heresie, **shall be cut off**, least he should payson others, by the Kings Writ, *De Heretico comburendo*. But if the Hereticke will not after conviction abjure, he may by force of the said Writ, be burnt without abjuration. He addes; that when an Act of Parliament is made concerning matters meerely spirituall, as Heresie, yet that Act being part of the Lawes of the Realme, the same shall be construed and interpreted by the

(d) Mathew
Hamond An.
21. Eliz. Hol
1579. Stow. p.
1161.

* Levit. 19.
Num. 5. 2
2 Chr. 26. 17.

the Iudges of the Common Law, who use to conferre with those that are learned in that profession; which hee proves by the resolution in *John Keyfers* case, Mich. 5. E. 4. rot. 143. *Coram Rege*, and *Hillary Warners* case, M. 11. H. 7. rot. 327. in the Common Pleas [e.] This is cleare by the Authority of the Councell [e] *Apud Iam. de Acon. cens. Legit. f. 152. 154.* at Oxford under *Tho. Arundell* Archbishop of Canterbury, Anno Dom. 1448. for the punishment of Hereticks, and suppression of Heresies, *In uberiores for-tificationem juris communis in hac parte*, as the Constitutions of it determine: which likewise informe us; *Quod licet inter crimen Haresis & lēsa Majestatis in legibus diversis quadam paritas reputetur, est tamen dissimilis culpa, penamq; exigit GRAVIOREM divinam quam humanam offendere Majestatem.* By which Authorities it is cleare to me.

First, that our Kings in ancient times did at first make use of Synods, and Convocations only to * advise them what was Heresie, and Apostacy, what not, not to convict and condemne Hereticks to be burnt: and that Heresie and Apostacy are offences inquirable, inditable, and triable in a criminall way at the Kings suit in the Kings Courts before his Iustices, by the ancient common Law of this Realme, and punishable after indictment and conviction, by BURNING, death, if not forfeiture of Lands, as in case of Treason against the King himselfe.

* *Marfilius Patavinus* Defensor Pacis pars 2. c. 9. 10, 21.

2ly. That the Writ *De Heretico comburendo*, is grounded and warranted by the common Law, not introduced by the Statutes of 2. H. 4. c. 15. or 2. H. 5. c. 7. (which neither prescribe nor make mention of it) the Statute of 25. H. 8. c. 14. being the first Act that names it; as well as the writs *De Excommunicato capiendo*, & *Apostata Capiendo* (introduced by the common law without any Act of Parliament) with the writ, *ad deliberandum Clericum Ordinario*, and the like.

3ly. That the Statutes of 2. H. 4. c. 15. 2. H. 5. c. 7. & 25. H. 8. c. 14. during the time they were in force, tooke away this power from the Iudges to condemne Hereticks, giving them authority only to enquire after them & returne their Inquisitions to the Ordinaries by way of information, not conviction or evidence, vesting all the power of condemning Hereticks in the Convocation, Ordinaries and their Commissaries, during their continuance; which Statutes being repealed by 1. Eliz. c. 1. the common Law is thereby revived; Therefore the Iudges at this day by the ancient common Law of Eng^l may indict and condemne Hereticks and Apostates to be burnt (the rather because the Bishops power is abolished) contrary to the opinion of 27. H. 8. 14. (delivered when those Lawes were in force) and of Sir *Edward Cooke* in his third Institutes, p. 40. *That at this day no person can be indicted or impeached for Heresie, before any temporall Iudge, or other that hath temporall Iurisdiction; as upon the persall of the Statutes of 5. R. 2. c. 5. 2. H. 4. c. 15. 2. H. 5. c. 7. 25. H. 8. c. 14. 20. Phil. and Mary c. 6. appeareth.* For these Acts being repealed, as he there grants, the old common Law of England is thereby revived as to Hereticks and Apostates; and so at this day, any person may be indicted, impeached, condemned, before the temporall Iudges of the Kings Courts for apparent reall Heresie (contrary to the Word of God, and 4. first Generall Councils) in such sort as they were and might be, before these Statutes.

4ly. That since the repeale of these Statutes, no man upon a bare conviction of Heresie before the Ordinary, or Commissary, justly may or ought to be put to

death or burnt, by the Writ *De Heretico comburendo*, unless he were likewise first legally indicted and convicted by a Jury in the Kings Courts, as all other capitall Malefactors, Felons, and Traytors are. My reasons are, First because it is directly contrary to *Magna Charta*: c.29. the *Petition of Right*; 5.E.3.c.9.25.E.3.c.4. and other forecited Statutes of *Edward* the 3d. and contrary to the right order of Justice, good equity, and the Lawes of the Realme, as is resolved in the Stat. of 25.H.8 c.14. 2ly. Because the *Sheriffe* could not execute any man by vertue of this Writ, or without it, before the Statute of 2.H.4.c.5. nor after it without this Writ, unless he were actually present at the sentence, as is resolved, 2. *Maria, Brooke*, *Heretic*, 1. Therefore this Statute and all others in pursuance of it, being totally repealed, this Writ and the proceedings on it upon a bare sentence of the Ordinary is (as I humbly conceive) meerely void in Law and contrary to *Magna Charta*: And therefore it is considerable, whether the resolution of the Judges in *Legates* case, forecited, be not erroneous, though seconded by Sir *Edward Cooke*. For though the Ordinary of every Diocese both before and after these Acts might convict any person for Heretic, and excommunicate or degrade him by the common Law; yet the *Sheriffe* could not execute him by any such convictions either without or by vertue of a Writ *De Heretico comburendo*: but by power of those Acts now all repealed, as is resolved by 25. H. 8. c.1. 4 Yet that an *Hereticke* or *Blasphemer* convicted and condemned of Heretic or notorious Blasphemy by a whole *Nationall Synod* or *Convocation*, may by Ordinance of both Houses of Parliament without any previous Indictment, be lawfully executed by a Writ *De Heretico comburendo*, even at this day, seemes probable to me, since it was usual before any Statute made, by the connivance of the common Law.

5ly. That an *Hereticke* and *Apostate* legally indicted and convicted in the Kings Courts before the Judges for Heretic or Apostacy, and adjudged to be burnt, may at this day by the common Law be executed without such a Writ, by vertue of the judgement only, by the *Sheriffe* (who is an Officer to the Court) as well as other Felons may be and are usually executed in other cases without a Writ. And if the Parliament will be pleased by a Law to declare, what are *Heretics* in particular, and what *Hereticke*s and *Apostates* in speciall shall be indicted and proceeded against at the common Law: as they did heretofore in case of *Treasons* by the Stat. of 25.E.3.c.2. there will be as great benefit, and no more danger of *Tyranny* or *Persecution*, in permitting, commanding the Judges to proceed against *Hereticke*s and *Apostates* (who are Traytors unto God and Religion) according to the ancient Rules of the common Law, then there now is in their proceedings against *Traytors to the King and Kingdome*, upon the Statute of 25. E.3. c.2. a very good president (as I humbly conceive) for framing a new capitall Law against *Hereticke*s and *Blasphemers*.

Now the reasons which confirme me in this opinion, That all *Heresies*, *Blasphemies*, *Schismes*, *Apostacies*, *Idolatries* are triable and punishable in a criminall or Capitall manner, only by an indictment and legall Tryall at the common Law, but not upon any sentence given by the Clergy in Convocation, or the Bishops in their Consistories, are these: First, because the Priests under the Law, were neither appointed to condemn nor execute such (unless upon extraordinary

nary occasions in default of the Magistrat) but only the Magistrates, and people; as *Dout. 13.* with other precepts and precedents forecited, manifest: especially *Job. 31. 26. 27. 28.* If I beheld the Sunne when it shined, or the Moone walking in brightnesse; or my heart hath bene secretly enticed (to worship them) or my mouth hath kissed my hand: this also were an iniquity, **TO BE PUNISHED BY THE IUDGE:** for I should have denyed the God that is above. Secondly, Because all such under the Gospell since Chr. its time, were anciently punished with imprisonment, confiscation of goods, disinherison, banishment, death, only * by the civill Lawes, Edicts of Godly Emperours, Kings, and civill Magistrates, and by their sentences and Iudgements in pursuance of them; as is apparant by the premied and subsequent Lawes and Histories; No Prelats, Councells, Synods, anciently having power to passe any such civill, corporall or capitall sentence against them; but the civill Iudges and Magistrate only. Hence (b) *Lucas Tuden-* *sis* about 350. yeares since, writing of the *Albigenses* reputed for Hereticks, records, that a *iudice Regionis capti sunt, Et ut digni erant flammam ignibus traditi;* confessing it to be the civill Magistrates duty, both to restraints and punish them; concluding thus. *Regum & Principum est hoc ministerium, scilicet, fidei rebelles occidere, per se, vel per ministros suos. Quod nisi solliciti fecerint, rationem reddent Domino de his, qua eorum dissimulatione, vel negligentia ab impijs perpetrantur; Remunerabuntur autem, si illorum ministerio cultus fidei conservetur.* Hence (b) *Iulius Firmicus* writes thus to the Emperors *Constans* and *Constantinus;* *vobis sacratissimi Imperatores, ad vindicandam & puniendam Idololatriam necessitas imperatur, & hoc vobis Dei summi lege precipitur: 31.* Because (c) all the godly Councells, Bishops, Fathers in former ages, yea Popes themselves, have written to, and importuned Godly Emperours, Kings, Magistrates to apprehend, suppress, punish Hereticks, Schismaticks, Blasphemers and Apostates, informing them it was their duty to do it; to which all Orthodox Protestant Churches, Writers at this day subscribe, yea and the Papsts too: From whence (d) *Pererius*, Dr. *Willet*, (e) Bishop *Davenant*, and generally all Protestant Divines, thus argue against the Popish Prelates and Clergie, who will not admit of Christian Princes and Magistrates to be the Iudges of Hereticks, Schismaticks, &c. but only to be executioners of them, when condemned first by them for Hereticks, and delivered over as such unto them to burne or punish. 'Every one hath the supream Jurisdiction, Power or Authority of judging, in those things wherein he hath the supream Power of punishing, condemning, and executing Offenders, because all punishment and execution without a preceding Iudgement, knowledge and conviction of the truth and reality of the crimes for which the party is punished or executed, is rash and unjust; and no Prince or Magistrate can justly punish another for opposing, or not embracing that Faith and Religion which himselfe is not able and hath no jurisdiction to judge, whether it be Heresie, or Truth agreeable to Gods word; it being contrary to *John 7. 51. Acts 25. 15. 16. 17.* the course of all Laws both Divine & Humane: But in the businesse of Faith and Religion Christian Princes and Magistrates have the supream Jurisdiction, Power, Authority of condemning, punishing and executing Hereticks, Schismaticks, Blasphemers, Apostates and Idolaters criminally or capitally, as all ancient Fathers, Councells, Protestant Churches

* See Augu-
stine Epist.
48. 50. 159 to
174.
[b] Adversus
Albigenses l. 3.
c. 15. 22. Bibli-
otheca Pat. um
Tom. 13. p.
283. 287.
See Antonin
Hist. part. 3.
Tit. 19. c. 1.
Sect 4.
[b] De errore
Prophanarum
Religionum.
Bibl. Patrum
Tom. 4.
(c) See Au-
gustin. Contr.
Lit. Periliani. l.
2 & contra
Crescentium
Gram l. 3. &
Epist. 48. 50.
Gratian Caus.
23. qu. 3. 4. 5.
Leo Epist. 38.
39. 71. Sarius
Concil. Tom.
1. p. 616. 617.
See Truth tri-
umphing over
Falshood. Ber-
nardus super
Cant. Ser. 66.
Gregor. lib. 1.
Epist. 31. 72
[d] On Rom.
13. hereafter
cited more
largely.
[e] De Iudice
& Notitia fi-
dei, p. 72, 73.
74
* Mansi. Pa-
tavinus De-
fens. Pacis pars
2. c. 9. 10, 22

(V) Sixfold
Commentary
on Rom. 13.
Contr. 4. 5. 6.

(g) De Iudice
& Noyma Fi-
dei p. 72. &c.
* Marfilus
Patauinus De-
fenfor: Pacis
pars, 2: c 9, 10,
21

(b) See Rey-
nerus Contr.
Waldenses c 8.
9. 10. compared
with Lucas
Tudensis ad-
versus Albi-
genses l. 3. c. 15.
16. 17. 18. 19
20. 21. 22.

[i] See Aretius
Valentini
Gentilis Histo-
ria, Joan Cal-
vini libellus,
Quod Heretici
Inve Gladij
coercendi sunt.
Theod. Beza.
De Hereticis
capitali sup-
plicio afficien-
dis, & Bellar-
min, de Laicis
l. 3. c. 21.

[k] See Cooke
Institutes part.
3. p. 41. 42.

[l] See heere p.
55 Cooke 13. In-
stit p. 44.

[m] Fox Acts
and Monu-
ments vol. 1.
Edit. 1640. p.
575-576.
Fullers Argu-
ment, Cookes 3
Instit p. 40 Rot
Parl. 6. Rich.
2. n. 52.

writers accord: Therefore they only have the proper Iurisdiction and Con-
sance of their Crimes, and are to try them as they doe other Malefactors by
way of Indictment and Iury only.

4lv. Because (f) Dr. Willet, (g) Bishop Davenant with other of our owne
and * forraign Protestant Divines, accord; That the Clergies encroaching of the
power of judging and condemning Hereticks, 'dolaters, Schismaticks, Apostates
Blasphemers further then to excommunicate or degrade them only, and denying
the Christian Majestrate power to indict, arraigne, try, and condemne them cry-
minally, to inflict pecuniary, corporall, or capitall censures on them, is a meere Pa-
pall encroachment and innovation; usurped (h) about some three hundred and
forty yeares since by the Pope and Popish Clergy, by the connivance of Christian
Princes, to suppress the *Albigenses* and *Waldenses*, whom they feared the Civill
Magistrate, who favoured them, would not condemne, burne or put to death as
Hereticks, it left to their Tribunalls, and thereupon appointed their owne speci-
all Inquisitors to proceed against them. Therefore being a meere Papall usurpa-
tion and Encroachment upon the Kings Royall Prerogative, and lawfull Power,
it is certainly abolished for ever by the Statute of *Eliz. c. 1.* and other Acts a-
gainst the Popes usurpations.

5ly. Because forraigne Protestant States and Princes condemne no Hereticks
to suffer losse of Liberty, Goods, life, or banishment, but such as themselves upon
tryall and conviction before them, judge such, as appeares by the case of
(i) *Valentinus Gentilis*, *Servetus* and other Hereticks, condemned and executed
by them. Therefore our Iudges also doubtlesse ought to enjoy and exercise
this Iurisdiction here in *England*, as well as those in forraigne parts; the rather,
because they have legall Consuance of Heresie, and the like, in case of an *Ha-
beas Corpus* or *Prohibition*, as our [k] *Law Bookes* resolve; and so by like
reason in case of an Indictment too; the rather, because the clauses in the very
Writ [l] *De Haretico Comburendo* admit them such a power, and the ancient
common Law of *England* directly gave it them, as I have already manifested;
which I hope will fully satisfie such who have beene hitherto doubtfull, or con-
trary minded in this point.

And thus much for proceedings by the *Common Law* of *England* against
Hereticks and Apostates, which I thought fit to cleare, because either not known
to, or mistaken by most; and may be usefull for the future. I come now to our
owne Statutes against Heresie and Hereticks, of which very briefly, because all
now repealed, and touched upon before.

In the times of Popery there were severall Acts of Parliament made against
those the Prelats and Clergy then pretended to be Hereticks, to wit, *John Wick-
liffe* and his followers, whom they stiled *Lollards*, who were no Hereticks at
all in verity, as also against others really such, though not principally intended
in those Lawes.

The first Law was only a pretended Act, fraudulently obtained by the Pre-
lates without the Commons consent, and published as a Law assented to by them
(in what manner you may read in the Marginal n Authors) to wit, the Statute of
5. R. 2. c. 5. Stat. 2. The effect of it was, that the Kings Commissions be made
and directed to Sheriffs and other Officers, and other persons learned, upon the
Bishop

Bishops certificat made in Chancery, from time to time to arrest all Lollard Preachers [whom they styled Hereticks] and also their fautors, Abettors, and to hold them in arrest and strong prison till they should justify themselves according to the Law and reason of Holy Church: But, this pretended Act upon the Commons Petition, in the next Parliament was revoked, because they never assented to it: nor was it granted by them, for it was never their meaning to be justified by, and binde themselves and their successors to the Prelates, more then their Ancestors had done before them.

The next Statute against Hereticks is that of 2.H.4.ch.15. procured as the former, which was made only upon the Petition of the Prelates and Clergy of England, who in their Petition desire, that it may be ordained [*] *per dictam Regiam Majestatem ex assensu Magnatum & aliorum Procerum in dicto Parlamento existentium, And the Answer is, Rex de consensu Magnatum & aliorum procerum Regni sui, without naming the Commons, as appears by the Parliament Roll; yet the Prelates cunningly foisted this clause into their written and printed Copies, (which they inserted into their Constitutions in the Courcell at Oxford, An. 1408. some six yeares after this Law, though not in the Parliament Rolls) Super quibus quidem Novitatibus, & excessibus superius recitatis, Prælati & Clerus supradicti * AC ETIAM COMMUNITATES DICTI REGNI*

in eodem Parlamento existentes, dicto Domino Regi supplicaverunt, ut sua dignaretur Regia celsitudo in dicto Parlamento providere de remedio oportuno. Wherein the Commons consent is included, who neither joyned in the Petition nor consented to the Act: yet this clause continued in all our Printed Statutes, both in the Latine and English Copies, to give it the colour of an Act of Parliament, as Mr. Fox truly observes in his Acts and Monuments vol. 1. Edit. 1640. p. 773. upon which ground among others, this Statute was repealed by 25. H. 8. 14. being practised as a Law till then: Whence [] Walsingham styles it a Statute, and affirms, that William Satry a Presbyter, burnt in Smithfield in the sight of many, had this Law practised upon him: Practizataque fuit hac lex in Pseudo presbytero, qui apud Smithfield, multis spectantibus. EST COMBUSTVS; though in truth he was burned before this Law passed, upon a Writ made by the King and temporall Lords, without the Commons or Prelates.*

This Statute [if I may so call it] justifies not only imprisonment and fires upon Lollards, and such as they then deemed Hereticks, but death it selfe, in case they abjured not their Heresie, upon a Conviction and sentence of Heresie before the Ordinary or his Commissary, to whom all Sheriff, Majors, and other Civill Officers were enjoyned to be assistant, and present at their Sentences of condemnation, if required, and upon their Sentence alone, without any Writ de Heretico comburendo, or Order from the King, they were to burne the persons condemned and not abjuring in a publique place, to terrifie others: as you may read in the printed Act it selfe, which differs something from the record.

7.H.4.Rot.Parl.nu.62. there was a like Petition exhibited by the Prelates for a new and severer Law against the Lollards, and that all might apprehend and enquire of such, and no Sanctuary might be granted to them; wherein the name of the Commons was used, by meanes of Sir John Ticketoft and others; but this, it seemes, miscaried, and was never printed or published by the Prelates, as the former was.

[*] 2.H. 4.
Rot. Parl. nu. 481

* Ioanis de A-
con Constit Le-
git. f. 154.

[*] Hist. Angl.
An. 1408 p.
405. ypodig.
Neustrix. p.
158.

The next law against Hereticks is 2. H. 5. c. 7. which ratified the former Act, prescribed an Oath to Sheriffes and other Officers, to assist and attend the Ordinaries in prosecution of Hereticks, & Lollards; Added a confiscation of the lands, Goods, and Estates of such as were convicted of Heresie, and delivered over to the secular power, whether they were executed or burnt, or not; and of all hereditaments of Lands in others for their use, and ordered Iudges of Assise and Iustices of Peace in their Sessions to enquire after Hereticks, their fautors, maintainers, Bookes, Writings, Sermons, Conventicles, and to apprehend them, to transmit their inquiries to the Ordinaries or their Commissaries, to informe them, but not to be used as evidence, the Ordinaries being left to proceed according to the lawes of Holy Church. This Act restrained the Iudges and Iustices power to punish Heretickes upon Indictment by the Common Law, and made Heresie no civill, but an [n] ecclesiasticall offence only, for the present; as some of our Law-Bookes stile it.

[n] 27. H. 8. 13
14. Br. Action
Sur le case 2.
10. H. 7. 17.
Dr. & Student
l. 2. c. 29.

After this, the Statute of 25. H. 8. c. 14. repeales the Statute of 2. H. 4. for these foure reasons mentioned in the Preface of it. 'First, because that Act doth not in any part thereof declare any certaine cases of Heresie, contrary to the determination of Holy Scripture, or the Canonickall Sanctions therein expressed, whereby the Kings loving and obedient Subjects might be learned to eschew the dangers and paines in the said Act specified; or to abhorre and detest that foule and detestable crime of Heresie.

2ly. Because these words, Canonickall Sanctions, and such other like contained in the said Act, are so generall, that the most expert and best learned man of this Realme, diligently lying in wait upon himselfe, cannot eschew and avoid the penalty and dangers of the said Act, and Canonickall Sanctions, if hee should be examined upon such captious interrogatories, as is and hath beene accustomed to be ministred by the Ordinaries of this Realme, in cases where they will suspect any person or persons of Heresie.

3ly. For as much as it standeth not with the right order of Iustice or good equity that any person should be convict and put to the losse of his life, good name or goods, unlesse it were by due accusation and witnesses, or by presentment, verdict, confession or Outlawarie, since by the Lawes of the Realme for Treason committed to the perill of the Kings most royall Majesty; upon whose surety dependeth the wealth of this whole Realme, no person may or can be put to death, but by presentment, verdict, confession or processe of Outlawry.

4ly. For that there be many Heresies, and paines and punishments for Heresies, declared and ordained in and by the said Canonickall Sanctions, and by the Lawes and Ordinances made by the Popes and Bishops of Rome, and by their Authoritie, for holding, doing, preaching or speaking of things contrary to the said Canonickall Sanctions, Lawes and Ordinances, which be but Humane, being meere repugnant and contrarious to the Prerogative of the Kings imperiall Crowne, regall jurisdiction, Lawes, Statutes, and Ordinances of this Realme; by reason whereof his people of the same, observing, maintaining, defending, and due executing of the said Lawes, Statutes and Prerogative Royall, by Authority of that Act of 2. H. 4. may be brought into slander of Heresie, to their

N O T E

NOTE

their great infamy and danger and perill of their lives. Nevertheless, for as much as the most foule and detestable crime of Heresie should not go unpunished, but be utterly abhorred, detested and eradicate, nor that any Hereticks should be favoured, but that they should have condigne and sufficient punishment, for the repressing of Hereticks & such erroneous opinions in time comming: It enacts, That the Statutes of 5.R.2. & 2.H.5.c.7. for the punishment, and reformation of Hereticks and Lollards, and every provision therein, not repugnant to this Act, shall stand in full strength: and that Sheriffes in their Townes, and Stewards in their Leets, Rapes, and Wapentakes shall have power to inquire of Heretickes, as of common Annoyances, and to certifye their inquiries to the Ordinary, in such manner as the Justices of Assise and of the Peace might doe, by the Statute of 2.H.5. c.7. and that the Ordinaries after such presentment and indictment, proved by the Oath of two lawfull witnesses at the least, and not otherwise, or by any other meanes, might convict, convent, arrest and apprehend such persons presented or indicted of any Heresie. And that he that happened to be lawfully convicted before the Ordinary in his open Court, and in open place, of the Heresie whereof hee was accused or presented, shall abjure the same, and if he refused and renounced the same, then he should do such reasonable penance for his offence as shal be limited by the discretion of the Ordinaries. And if he refused to abjure, or after abjuration fall into relapse, and were duely accused, or presented and convicted thereof as aforesaid, that then in such cases he shall be committed to Lay power, TO BE BVRNED in open places for example of others, as hath been accustomed: the Kings Writ, *De Heretico comburendo*, first had and obtained for the same: And it likewise provides, that no manner of doing, speaking or communication, or holding against any Lawes made by the Bishops of Rome, or by their Authority, for the advancement of their owne worldly glory and ambition given them by humane Lawes or Policies, and not by Holy Scripture, contrariant and repugnant to the Lawes of this Realme, and the Kings Prerogative Royall, shall be deemed, reputed, accepted or taken to bee Heresie.

After this in 31.H.8.c.14. 34.H.8.c.1. & 35.H.8.c.1. severall Lawes were made to punish certaine particular points of Doctrine [commonly called the Six Articles] with death and the losse of Goods, as you may read at large in the Acts themselves: the last whereof somewhat mitigates and explaines the former.

These Lawes proving very * bloody to the true Professors of the Gospel, thereupon the Statute of 1.Ed. 6.c. 12. repeald and utterly made void all Lawes and Statutes formerly made concerning Hereticks, or opinions in Religion: and so they continued repealed, during all King Edward the sixt his Reigne. But Queene Mary comming to the Crowne, and restoring the Popes and Prelates exploded Jurisdictions, thereupon;

The Statute of 1. & 2.Phil. and Mary. c.6. revived them all, in whose Reigne they were put in vigor execution, to the destruction of many Godly Christians; as we may read at large in Mr. Fox his Acts and Monuments, vol. 3. But shee decaying and Queene Elizabeth succeeding: The Statute of 1. Elis. c.1. repealed all these Lawes againe, revived by Queene Mary; and leaves Ordinaries and

[*] See Mr. Fox Acts and Monuments vol. 2.

the High Commissioners liberty to proceed against Heretickes, only by Ecclesiasticall Censures, with these provisos.

Provided alwayes, and be it enacted as is aforesaid, that no manner of Order, Act, or determination for any matter of Religion or cause Ecclesiasticall, had or made by the Authority of this present Parliament, shall be accepted, deemed, reputed, or adjudged at any time hereafter, to be any Error, Heresie, Schisme, or Schismaticall opinion: any Order, Decree, Sentence, Constitution or Law whatsoever the same be to the contrary notwithstanding: Provided alwayes, & be it enacted by the Authority aforesaid, that such person or Persons to whom your Highnesse, your Heires, or Successors shall hereafter by Letters Patents under the Great Seale of England, give Authority to have or execute any Jurisdiction, Power or Authority, Spirituall or Temporall, or to visit, Reforme, Order or Correct any Errors, Heresies, Schismes, Abuses or Enormities, by vertue of this Act, shall not in any wise have Authority or power to order, determine, or adjudge any matter or cause to be Heresie, but only such as heretofore have beene determined, ordered or adjudged to be Heresie, by the Authority of the Canonickall Scriptures, or by the first 4. Generall Councells, or any of them, or by any other Generall Councells, wherein the same was declared Heresie, by the expresse and plaine words of the said Canonickall Scriptures, or such as hereafter shall be Ordered, judged, or determined to be Heresie by the High Court of Parliament of this Realme, with the assent of the Clergie in their Convocation: any thing in this Act contained to the contrary notwithstanding. So as this Act defines, what shall be adjudged and punished as Heresie by the High Commissioners, and may serve for a good Rule to the Judges and Parliament now to proceed by, in judging what shall be reputed: reall Heresie and Blasphemy in future times.

But this clause of this Act is now repealed by an Act of this present Parliament, which takes away the High Commission; and so all Statutes concerning Heretickes or Heresie are now wholly repealed; and the Ordinaries power to punish them, totally abolished by the *Ordinances abolishing Episcopacy*.

Yet this is observable, that both before and after the repeale of all Statutes concerning Heresie by 1 Eliz. c. 1. some reall Heretickes and Anabaptists were condemned and burnt for Heresie, by vertue of the *Common Law of England*.

[b] Fox Acts and Monuments, vol. 2. p. 315.

I read in [b] Fox his Acts and Monuments, that in King Henry the 8. his Reigne in the yeare of our Lord 1535. ten Dutch men, accounted for Anabaptists, were put to death in sundry places of the Realme: and that other tenne repented and were saved, and two of the said Company pardoned by the King, albeit the definitive sentence was read. And well might they deserve this sentence, if our learned Martyr John Philpot, may be credited; who writes in a godly Letter to a friend of his: [m] "That *Aventinus*, one of the Arrian Sect, with his Adherents, was one of the first that denyed the Baptisme of Children; and next after him *Pelagius* the Heretike, and some others that were in [n] St. Bernards time; and in our dayes the Anabaptist, an inordinate kinde of men, stirred up by the Devil to the destruction of the Gospel. So he o. An. 1538. Two Anabaptists were burned in *Smithfield*; three then bore fagots

[m] Fox vol. 3 p. 607

[n] See Bernard sermo 66. sup Cant. Cant.

[o] Holinshead p. 46.

fagots, and abjured the Realme: but this was before these Acts repealed.

After their repeale, in the 17. yeare of [p] Queene Elizabeth, Anno 1575. A congregation of Anabaptists, being Dutch-men, was discovered in a House without the Barres of Aldgate LONDON: 27 of them were taken and sent to Prison: 4. of them bearing Fagots recanted their Hereticall opinions at Pauls Crosse the 5th. day of May: The 21. of May, one man and two women Anabaptists, Dutch, were in the Consistory at Pauls condemned to be burnt in Smithfield; after great paines taken with them, the Women were converted, and the Man banished.

[p] Holinshead
p. 1160 1261.
Stow. p. 678.
679:

Nine Women of them and a Man were publikely Carted and whipped by the Sheriffs Officers on the first of June, and then carried to the Water side from Newgate, and shipped and banished, never to returne more into England.

The 22. of July two Dutchmen Anabaptists were burned in Smithfield, who died with great horror roaring and yelling, And by this meanes England was then preserved from their infection.

[q] Anno 1579. being 21. Eliz. Mathew Hamant for execrable Heresie and Blasphemy (not fit to repeat) against Christ and the Holy Ghost, and denying their Deity, and the use of Baptisme and Sacraments in the Church: was on the 13. day of April condemned at Norwich, by the Bishop of the Dioceffe in his Consistory, as an Heretick: and on the 20th. of May, burned publikly in the Castle of Norwich, his Eares being first cut off in the Market place, for horrible blasphemy against the Queene.

[q] Holinshead
p. 1299.
Stow. p. 685.
Camden Eliz.
p. 285.

[r] Anno. 25. Eliz. on the 18. day of September, one John Lewes, who named himselfe Abdeir, an obstinate Hereticke, denying the Godhead of Christ, and holding divers other damnable Heresies [much like his Predecessor Hamant] WAS BVRNED AT NORWICH.

(*) Holinshead
p. 1354.
Stow. p. 697.
[f. Cooke 3.
Instit. p. 40.

[s] Hil. 9. Jacobi one Legat was juditially convented, convicted and condemned by the Bishop of the Dioceffe for his Heresie, and it was resolved by the Judges of the Kings Bench, that a Writ De Heretico comburendo lay upon the judgement [and some say he was burnt accordingly.]

9. Jacobi 19. Novembris, Anno Dom. 1611. one Edward Wrightman of Burton upon Trent, was convented before Richard Neale Bishop of Coventry and Litchfield, for denying the Trinity, the Deity of Christ and of the Holy Ghost, and affirming himselfe to be Christ and the Holy Ghost; and the Scriptures spoken of them to be meant of himselfe; all which he affirmed and justified in his Answers to his Articles, and persisted in the same after many conferences: whereupon on the 5th. of December following, he was condemned for an obstinate and incorrigible Hereticke, and excommunicated with the great Excommunication, and adjudged by the Bishop, to be delivered over to the secular power, to be capitally punished, according to the Atrocity and haynousnes of his crimes and Blasphemies; whose Articles and sentence, I have in my custody. Whether he were actually burnt, or reprived as one frantique and distracted as some esteemed him, I cannot certainly determine. All these were thus censured, and some of them put to death by the common Law, since the

Statutes

Statutes against Hereticks, were repealed; why any scruple of putting such of a-
nate grosse Hereticks and Blasphemers to death, upon a legall Indictment and
Conviction before the Judges after the ancient course of the Common Law,
should now be made. I can see no colour, unles our love to, our zeale for God,
Religion, be farre lesse, farre colder then our Predecessors, or those very Lordly
Prelates whom we have suppressed, and our solemne Covenants, Protestations
to make a thorow Reformation of all corruptions in Doctrine, Disciplin, life, an
engagement to us to tolerate such most execrable Heresies, Errors, and open
Blasphemies which the most unreformed times, persons, would by no meanes
suffer without speedy condigne corporall and capitall punishments.

I shall only adde to this, that by the Statutes of 5. Eliz. c. 1. 23. Eliz. c. 1. & 3.
27. Eliz. c. 1. 28. Eliz. c. 6. 35. Eliz. c. 1. 2. 39. Eliz. c. 18. 43. Eliz. c. 9. 1 Jac. c. 4. 3. Jac. c. 4.
5. 7. Jac. c. 6. & 3. Car. c. 2. Jesuites, Seminarie Priests, Monkes, Friars, who re-
ceive Orders by any power derived from the See of Rome, if borne within the
Kings allegiance, are to be indicted in the Kings temporall Courts, and condem-
ned, yea, executed as Traytors, if they do but say Masse, exercise their Priestly
functions, or endeavour to seduce any of the Kings Subjects from their Religi-
on and Allegiance; though they do it [as they conceive] meerely out of consci-
ence and duty to God and their Ecclesiasticall Superiors; upon which Statutes
many of them have beene executed as Traytors, and some of late by the pre-
sent Parliaments speciall direction, when the King himselfe would have reprived
them. The voluntarie Harborers of them, knowing them to be such, are by the
Lawes to be indicted and executed as Fellons; and the late [r] Archbishops fami-
liarity, correspondence and confederacy with Priests and Jewites to introduce
Popish Superstition, and subvert the established Protestant Religion, was charg-
ed against him by the whole House of Commons, as a Treasonable and Capi-
tall offence, for which, among other things, he lost his head by the unanimous
Judgement of both Houses of Parliament. Such Popish Recusants or others
who bring in any of the Popes Bulls or Excommunications into this Realme, or
publish them here, though out of a seduced Conscience, are to be executed as
Felons, by these Lawes; or at least attainted in a *Premunire*, to the losse of
their Estates and Libertyes. Such Popish Recusants, who are convicted for not
repairing to Church and receiving the Sacraments among us, are to forfeit two
parts in three to be divided, of their whole reall and personall Estates, to the
King; to pay an hundred pounds for every Masse they heare, and forfeit twenty
pounds a Month for absenting themselves from Divine Service and Sermons,
in some Church or Chappell, which last penalty, of twenty pounds a Month for
absence from the publike Ordinances, all Schismaticks and Separatists incurre
by these Lawes, as well as Papist. All such Recusants or Separatists who re-
fuse the Oath of Allegiance and Supremacy, incurre a *Premunire*, are to be im-
prisoned, and made incapable of any Office. The importers of Popish Books,
Pictures, Reliques of any kinde, are subject to divers pecuniary Penalties; Recu-
sants themselves to be confined to their Houses, disarmed, secluded from the
Court, and all places of trust; disabled to practise Law or Physick, and in some
cases to inherit Lands, to sue any Actions, to be Executors or Administrators,
and to forfeit all their goods, estates, Dowers, Jointures during their naturall
lives

[r] See Canter-
buries Doome
p. 25. 26. 27. 32
209. &c.

lives; as these Statutes declare at large: And besides this, they are to be excommunicated *ipso facto*, and so utterly disabled to bring any action at Law, and all this in relation to their false, hereticall and detestable Religion, which oft incites them to sedition, Rebellion, Treason, against the King, Kingdome, Parliament. And are all to be indicted and tried in these cases in the Kings Courts only, according to the Rules of the Common Law.

These Lawes are still in force and executed to the full against them now; and it was a [4] great complaint, yea charge against the King and his ill Councell in this and former Parliaments, that they suspended or mitigated these Lawes against Popish Priests and Recusants. And shall we then tolerate other dangerous Hereticks, Schismaticks, Blasphemers and Faemies of our established Religion, yea and plead for a common tolleration of them, when our Lawes are so justly rigorous, and our selves so vehement against these? God forbid.

As for obstinate Schismaticks, who wholly separate from our Churches or publike Assemblies, and are no Papists, as they forfeit twelve pence for every Lords day, and twenty pounds for every month they absent themselves from our publike Congregations, by the Statutes of 1. Eliz. c. 2. and other recited Acts:

So by the Statute of 35. Eliz. c. 1. [yet unrepealed] they are to be imprisoned without Bayle or mainprise upon conviction, until they conforme themselves and repaire constantly to our Churches; and if within three monthes after their Conviction, they refuse to conforme, and to repaire duly to our Churches or Chapells, they are thereupon to take an Oath of Abjuration to depart the Kingdome in the open Quarter-Sessions or Assises, before the Justices, within such time as shall be limited; and in case they refuse to abjure, or shall not depart the Realme after such abjuration made, or returne into it, or into any the Kings Dominions againe, without speciall license of the King first obtained, then in every such case, the person so offending shall be adjudged A-Felony, and suffer [death] as in case of Felony, without benefit of Clergy. And every person who shall knowingly receive, harbour, maintaine, or keepe in his house or service any such obstinate Separatist or Schismatick, who shall refuse to repaire to our Churches, or Chappells, shall after notice thereof by the Ordinary or any Justice of Peace, or the Minister, Curate or Churchwardens of the parish where such person shall then be, forfeit ten pounds for every Month, that he shall so receive, maintaine, retaine or keepe any such person so offending.

Which Act alone, if now duly executed, would speedily suppress, or quit our Church, our State of all those dangerous Anabaptists, Sectaries and separating Enthusiasts who now so much infect, and threaten taine unto both. I wish all such would seriously read, Ephes. 4. 1. to 7. Rom. 16. 17. 18. 1 Cor. 1. 9. to 14. 2 Pet. 2. Jud. 19. St. Cyprians Book, de Unitate Ecclesia, and St. Augustins Bookes and Epistles against the Donatists, which would teach them to renounce their dangerous Schisme and prevent the execution of this good Law against them.

How variously Hereticks themselves [with their Factors and Followers] are to be punished by the Canon Law, to wit with excommunication, losse of trading and commerce with others, confiscation of their goods, depriving them and their Children from all Ecclesiasticall preferments, disinheriting of their Children, losse of Dower by their Wives, disability to appeale, or give testimony; absolution of their vassalls from all services, Tenures, Obligations by

[u] See A Necessary Introduction to the Archbishop of Cantuaries Trial p. 3. to 70. An exact Collection of all Remonstrances, &c. 1643. p. 1. 2. 3. 4, 5, 10, &c.

* Ardeant licet flammis, et ignibus, traditis, vel objectis bestiis animas suas ponant, non erit illa fides Corona sed pana perfidia, nec religiosa virtus exitus gloriosus, sed desperationis interitus. Occidi talem potestis, occidi non potestis. Cyprianus de Unitate Ecclesie. In epistola ad Donatistas culpa di, cordis nec passione purgatur, Exhibere se non potest Martyrem, qui fraternam non tenet obsequium Ibid.

‘which they are obliged to them; deprivation of all Sacraments of the Church
 ‘and of Christian buriall; That no Register may write any thing, nor Advocate
 ‘plead for them without losse of Office and publike infamy; and deliverty of
 ‘them, after sentence given, to the Secular Powers To be burned in Ashes; and
 what other punishments Apostates and Schismaticks are to undergoe by the
 Canon Law, you may read at large in *Gratian: Causa 23. 24. Hostiensis Summa lib. 5. Tit. de Hæreticis, Schismaticis, Apostatis, & Iterantibus Baptisma. Summa Angelica, Tit. Hæreticus, Apostasia, Schisma: Summa Rosella, Tit. Apostasia, Hæreticus. Lyndwood Provin. Const. l. 5. De Hæreticis, Schismaticis & Apostatis* [where he writes,] *sunt damnandi ad mortem per seculares potestates & per eas DEBENT COMBURI VEL IGNE CREMARI, ut patet in quadam constitutione Frederici* Francisus Zerula, *his Praxis Episcopalis, pars 1. Tit. Hæretici fol. 109, &c. Alfonso a Castro adu: Hæreses, & de justa hæret: punitione. Antonij Corseti Repertorium. Tit. Hæreticus & Apostasia, Claudius De Sanctes ad edicta & de methodo Contr. sectas, veterum Principum. Lucas Tudenfis, advers. Albigensum errores l. 3. c. 15. 20. 21. 22. Bellarmin; de Laicis l. c. 21. 22. Antonini Hist. pars 3. Tit. 19. c. 1. sect. 4. Reynerus contr. Waldenses c. 11. 12. Iacobi Gretseri Prologom; in scriptores contr. sectam Waldensium c. 6. Bibl. Patrum Tom. 13. p. 290. 291. Concilium Oxoniense, Anno 1408. under Thomas Arundell, for the suppression and punishment of Hæreticks, apud Ioan. de Aron, Constitutiones Legit. f. 152. 153. 154. And in (*) sundry other Canonists, Tit. de Hæreticis et Apostatis, whose names I pretermitt.*

* See Paulus
 Grillandus de
 Hæreticis &
 eorum Pænis.

And thus much for the punishment of Heresie, Apostacy, and obstinate Schisme by corporall and capitall censures in all ages, both at home and in forraigne parts.

Punishments
 of Blasphemy.

I shall next present you with like Lawes against, and punishments inflicted on open Blasphemers And prophane Cursers and swearers.

* Summa Angel. & Rosella
 Tit. Blasphemia.

Blasphemy is defined to be* *contemptuous scoffing, or malicious speech or word uttered, in dishonour, contempt, or despite of God himselfe, or any person of the sacred Trinity: and the more contempt, malice, despite and rancor there is in the expression or words spoken, the greater and more execrable is the Blasphemy, which crime extends even to prophane Oaths, curses, and execrations, falling under the Title of Blasphemy.*

For corporall and capitall punishments inflicted by Christian Princes and Magistrates against Blasphemers, and execrable Cursers and swearers, I shall trouble you only with these instances.

[u] Cent. 4.
 cap. 7. Col. 545
 [x] Authent.
 Col. 6. Tit. 5.
 & Novel. l. 2.
 Tit. 29. Cent.
 Mag. 6. c. 6. col.
 444.

The [u] Century Writers record, That Constantine and other Godly Emperors in the 4. Century after Christ, did by civill edicts and punishments repress the Blasphemies of Hæretickes.

[y] Surius
 Concil. Tom.
 3. p. 6. Leges
 Wisigothorum
 l. 12. Tit. 3. lex
 v. apud Frid.
 Lindebogum
 B. 223.

[x] Justinian the Emperor punished such with death and capitall punishments, who swore by any Member of God, or by Gods Haires, or blasphemed God.

[y] The 12. Councill of Toledo in Spaine. Can. 9. confirms the Lawes published by King Eringius, whereof this was one, de Blasphematoribus sanctæ Trinitatis, which runs thus.

Sicut veritas sacri Evangelij prædicat, prolaturum in fratrem contumelia verbum, iudicio reum adsignat, quanto magis peccantem in Spiritum sanctum divina

animato censionis sententia dampnat, quod irremissibile hic & in futuro Salvator ipse denunciat. Et ideo si quis Christi filij Dei blasphemaverit nomen, & usque sacrum corpus & sanguinem aut contempserit sumendum percipere, aut puerum visus fuerit rejicisse, vel quamlibet injuriam blasphemiam in factum dixerit Trinitatem id est in Patrem & Filium, & Spiritum sanctum: tunc in sancta sacerdotis vel judicis; in cujus civitate, castro vel territorio hoc malum exortum fuerit, blasphemator ipse contumaciae obnoxius flagetur, & in ardua in vinculis constitutus, perpetuis exiliis coneretur: Verumta: Res tamen eius in potestatem Principis redacta manebunt, qualiter in iure eorum, cui eas potestas conferre elegerit, inconvulso persistant.

The Emperours, Charles the Great and Ludovicus Pius, promulged this Law against Blasphemers; & Si quis quolibet modo blasphemiam in Deum iactaverit, ab Episcopo vel comite pagi ipsius carceris usque ad satisfactionem tradatur, & publica penitentia mulctetur, donec precibus proprii Episcopi publice reconcilietur, Ecclesiaeque gremio canonice reddatur.

And the Emperour Ludovicus made this more severe and capitall Law against Blasphemers. (a) De Blasphemia in Deum. Si quis quolibet modo blasphemiam in Deum iactaverit, a praefecto urbis ultimo supplicio subiciatur; qui vero talem cognoscens non manifestaverit, similiter coercentur. Si praefectus urbis hoc praevide neglexerit, post Dei iudicium nostram indignationem incurrat.

The Emperour Frederick the 2d. enacted this Law against Blasphemers, that their Tongues should be cut out. (b) Blasphemantes Deum & Virginem gloriosam lingua maliloqua mutilatione puniuntur.

St. Lewis King of France when going out of the Palace he heard a Blasphemour filthily abusing the name of God, commanded his lips to be branded with an hot Iron.

King (d) Philip the 6. of France called Valoyer, enacted this Law against Swearers and Blasphemers; An. 1347. Volumus & ordinamus, ut ille vel illa qui Deo vel beata Maria virgini maledicere presumpserit, aut turpe fex vile iuramentum fecerit pro prima vice ponatur in pilorio, ibi ab hora prima usque ad nonam permansurus; ad cuius oculos proliis valeant tunc & alius in manus distas, absque tamen lapidibus, vel aliis rebus cum cadentibus; deinde vero ad panem & aquam absque quavis alia re per mensem demorabitur. Si autem ipsum secundo ricidire contigerit: volumus quod in die mercati solenniter rursus in pilorio constitutur, ipsiusque labium superius cum ferro calido caliser scindatur, quod dentes eius aperiant: Tertia vero vice, labium inferius, & quarta vice totum bilabium. Quod si per misericordiam eius quinto id sibi contigerit, volumus quod in totum sibi lingua praescindatur, ut Deo & alteri deinceps maledicere non valeat. Ordinantes insuper, quod si aliquis praedicta mala verba audierit, & incontinenti iusticia revelare noluerit super eum possit emenda usque ad summum 60. librarum levare: Si tamen talis adeo pauper fuerit, quod pecuniam antedictam non possit exolvere, in carceribus, donec sufficere debeat ad satisfaciendum emenda praedicta, detineatur.

Charles the 7 of France. An. 1460. Henry the 2. of France An. 1546. Charles the 9 and the Estates of Orleans. Artic. 35. An. 1585. and King Henry the 4th of France. An. 1534. enacted these severall Laws against Swearers & Blasphemers.

[2] Bochartus Decret. Eccles. Gal. 1.8. Tit. 13 c. 12. p. 1205. Capit. Car. 8. Ludovici lib. 6. Tit. 10. apud Frid. Lindebro. p. 995.

[a] Ludovici Imper. Capit. Additio. 3. Tit. 52. apud Lindebro. p. 1164.

[b] Constit. Sicularum l. 2. Tit. 8 apud Frid. Lindebro. p. 811.

[c] Gaguinus l. 7. Cent. Magd. 13 c. 6. Col. 672

[d] Bochartus, Decreta Eccles. Gal. 1.8. Tit. 13. c. 24.

[e] Bochartus Decreta Eccles. Gal. 1.8. Tit. 13. c. 25. p. 1207.

We inhibit and defend all persons of what estate, quality and degree soever they be, to renounce, grieve, displease or blasphemate, or use any other villanous and detestable speeches against the honour of God and his holy Mother, upon paine to be condemned for the first offence at such a fine as the Iudge shall think fit to asseesse, one part whereof shall accrue to the King, the other to the fabrick of the Church, the third to the informer; and for the second, third, and fourth offence, his fine shall be doubled, trebled, and quadrupled, and for the fifth offence he shall be imprisoned eight houres, and there be liable to all the crimes, villanies and obloquies that any will cast upon him, and shall make such further amends as the Iudge shall arbitrate: and for the sixth offence he shall be set on the Pillory and there have his upper lip branded with an hot Iron, so as his Teeth may appeare. And for the 7. offence he shall be brought and set on the Pillory and there have his lower lip branded with an hot Iron. And if he sweare and offend any more, he shall have his Tongue cut off.

[f] Sairus
Concil. Tom.
4.p.634.635.

The Council of Lateran under Leo, the ninth Sess. Tit. *Reformatioes curie et aliorum*; to abolish execrable blasphemy which then out of measure prevailed to the greatest contempt of Gods name, and of his Saints, ordained: That who soever should openly or publikely curse God, or blasphemate the name of Iesus Christ, or of the Glorious Virgin with contumelious and obscene words, if hee were a publike Officer or had jurisdiction, he should for the first and second offence, forfeit all the profits thereof for three Monthes, and for the third, be deprived of it. If a Clergy man, he was to forfeit one whole yeares profits of al his Ecclesiastical livings for his first offence: For the second, to be deprived of his Living if he had but one benefice, & of which benefice the ordinary pleased if he had more then one: And for the third offence upon conviction, to be deprived of al his dignities and benefices, and made incapable to retaine them. But a Layman blaspheming, if he be a noble man, shall for the first offence pay 25. Duckets, and for the second offence fifty, to be bestowed on the fabrick of the chiefe Church in the City; and for the third offence shall loose his Nobility: If an ignoble person or plebeian, he shall for the first offence be imprisoned; if hee shall above twice publikely blasphemate, he shall stand for an whole day together before the Dores of the principall Church with an infamous Miter on his head: If he shall lapse againe into the same sinne, he shall be condemned unto perpetuall prison, or to the Gallies at the pleasure of the Iudge. In the Court of Conscience, he that is guilty of Blasphemy cannot be absolved without Greivous penance. And we further ordaine, that secular Iudges who shall not as much as in them lies punish those who are convicted of Blasphemy with just punishments, shall be subject to the same punishments as the Blasphemers themselves, as guilty of the same sinne. And all that shall heare any to blasphemate are enjoined to informe against them, by this Councells decree.

[g] Holmshead
p. 1299, 1354.
Stow p. 635.
697.
Clandemr
Elizabeth
p. 285.

(g) Hamant and Lewes, as well for their execrable Blasphemies, as Heresies, were By the very common Law, without any Statute, condemned and burnt in Queene Elizabeths Raigne at Norwich; and no doubt Blasphemers may be indicted and punished by the common Law, with death, as well as Heretickes and Apostates, for open execrable blasphemy.

By the Statute of 21. Jac. c. 20. all prophane swearers and cursers shall for-

feir twelve pence for every Offence and Oath, to be levyed by distresse for the use of the poore, and sit in Stocks for three houres, if no distresse be to be had if the Offendor be above twelve yeares old; and to be whipped publicly if under. Too small a punishment (as some conceive) for so execrable a sinne. By the late (h) Articles of Warre for the conduct of our Armies under the Earl of Essex and Sir Thomas Fairfax, All Blasphemers of the Trinity, or any of the Articles of the Christian faith are to be boared through the tongue with an hot Iron; and some have beene so punished in our Armies for their Blasphemies; which Articles likewise punish swearing with losse of pay, and the like. [h] Article. 1. 2.

I shall close up these Lawes with some further examples of ancient, Godly, politick Lawes for the punishment of Swearing and Blasphemy, gathered out of divers Authors by our learned Thomas Becon, printed *cum privilegio* at the end of his (i) *Invective* against swearing. [i] In his Workes, vol 1, f. 224. 225.

King (k) Henry the 5th. made a Statute for Swearers in his owne Pallace, that if he were a Duke that did sweare, he should forfeit for every time 40.s. to the ayding of the poore people. If he were a Lord or a Baron, 20.s. If he were a Knight or an Esquire 10.s. If a peasant or meane man, then to be scourged naked either with a Rod, or else with a Whip. [k] Waldenus in quodam sermone.

King Edward made this Law, that they which were proved once falsely forsworne, should for ever be separated from Gods Congregation.

(l) Donaldus King of Scots made this Act, within his Land, that all Perjurers and common swearers should have their lips seared with a burning hot Iron. [l] Hector Boetius in historia Scotorum.

This Law aforesaid did Saint Lodowicke King of France enact also and put it once into prosecution at Paris upon a Citizen there, for blaspheming the name of Christ unto the example of other, and so caused it to bee proclaimed throughout the Realme for a generall punishment.

(m) Phil. King of France whomsoever he perceived to blasphemate the name of God either in a Tavern or any where else; yea although he were a great man of dignity, commanded, that he should be drowned, And caused a strong act to be made of it a little before his death, and left it unto his successors. [m] Vincentius in speculo historiali.

(n) Philip Earle of Flanders made this constitution with in his Earldome, in the yeare of our Lord M.lxxiij. that he that did forswear himselfe should loose his life and goods. [n] Iacobus Majerus in chr. n. cis. Flandriae.

(o) Maximilianus the Emperor made also a decree, that whosoever he were that was a common swearer, should for the first time lose a marke; And if hee were not content with that, he should loose his head: which act he and the Nobility of the Empire, commanded to be published foure times in the yeare, at Easter, Whitsunday, Assumption of our Lady (as they called it) and Christmas. [o] In Paralip. rerum memorabilium.

The Law of the (p) Egyptians was, that no swearing should be used among them at all, except it were for a weighty cause, if any were found to be perjured, the same should loose his head. [p] Lex Egypt. Iohannes Boemus Lib. Historiarum 1.

The Law of the (q) Sythians was, that if any among them could be proved to be a notable swearer, or such a one as would forswear himselfe, the same being convicted therof, should without ratiance nor only loose his head, but his goods also, which they should have that proved him perjured. [q] Lex Syth. Iohannes Boemus Historiarum. l. 1.

The (r) Romans had a Law, that all such as were found to be perjured, should be throwne [r] Lex Romanorum in Lege 12. tabularum.

[.] Exod. 20.

[.] Eccle. 23.

throwne downe head-long from the top of a high Rock called *Tarpejus*.

(f) Thou shalt not take the name of the Lord thy God in vaine, for the Lord will not hold him guiltlesse that taketh his name in vaine.

(t) Let not thy mouth be accustomed with swearing, for in it there are many faults, &c. like as a servant which is oft punished cannot be without some sore, even so whatsoever he be that sweareth and nameth God [in vaine] shall not be cleane purged from sin; a man that useth much swearing shall be filled with wickednesse, and the plague shall never go from his house.

The words of the swearer bringeth death [God grant that it be not found in the house of *Iacob*] but they that feare God, eschew all such and fye not weltring in sin.

The Councell of *Iosephus* is this, that he which blasphemeth God and unreverently useth his name should be stoned unto death, and then hanged up by the space of one day, and so taken downe, and buried without all manner of honour: Diverse other most noble Princes made divers other most holy Lawes, for the eschewing of *Customable swearing and perjury*. Would God that these their most Godly Acts might either be renewed among Christian men, or else some other devised for the abolishing and putting away of the most wicked and detestable custome of *swearing*, every Prince as he shall think most convenient for the state of his Realm: 'Lawes are made, and penalties appointed for divers meane things which only concerne worldly matters, why then do not Christian Princes also make Lawes, Acts, and Decrees for the glory of God, that his name may be had in honour and reverence, as most worthy of all it is? Worldly matters may not so be esteemed, that things pertaining to the glory of God and the salvation of Christian mens soules shall be neglected; For Rulers are appointed of God, not only to looke upon mundaine and worldly, but also divine and spirituall matters. And it is their duty no lesse to tender the glory of God, and to make Acts concerning the same, then to see to the publike tranquillity, & that all things decent & comly for an honest outward Order be maintained, preserved and kept. And as they are the supream head & chiefe Rulers both of the spirituallie, and temporallie, so ought they to tra- vaile no lesse in Spirituall then in Temporall matters. Looke what enormities wickednesse, ungodly Customes, superstitious and unrighteous manners, &c. reigne in Realmes, all these ought to be abolished and put away by the world- ly Potentates and earthly Rulers. God grant that we may see it shortly, not only in this Realme, but in the Kingdome of so many as professe Christ.

He concludes thus.

Let the Rulers of the Common Weale finde some honest remedy, that the name of God be no more blasphemed among their subjects: Let them consider how loath they are, that they themselves should be evil spoken of and blasphemed. Let them weigh with themselves, how much God excelleth them, and how farre his dignity excelleth their dignity. If any man defaceth their renowne, they are punished straightwayes, and not without a cause. But how chanceth it that the Lord of all Lords, and King of all Kings is no more feared? How comes it to passe that his most holy, and blessed name is so universally blasphemed, yea and that freely and without punishment? Were it not think you convenient, that the

* Invektive a-
gainst swearing.
621, 246.

Concl

Civill Majestates should earnestly provide, that the name of God might have his due honour, and that it might no more be abused with abominable and unlawful Oaths in their Realmes, but praised and magnified, seeing that by it we obtaine all our health and salvation? God by his holy spirit might vouchsafe to breath into the hearts of all Princes, Kings, and Rulers, that when they be Godly assembled together for matters concerning the glory of God and the publike weale, they may also entreate of this thing in their Synods, Congregations, Parliaments, Councells, &c. That God may be glorified, and his most blessed name exalted of all Nations from the East to the West; By this meanes shall they not only expulse vice and make their Realmes to flourish with virtue unto the great glory of God, and the high consolation of all the faithfull, but also they shall acquire and get to themselves a Crowne of immortall glory for ever and ever.

How Blasphemy and prophane swearing, and cursing have beene punished by the Decrees of Councels and the Canon Law, with excommunication, penance, deprivall of Christian Buriall, & the like, you may read at large in *Bockellus*, *Decreta Ecclesie Gallicana* lib. 8. Tit. 13. throughout: *Summa Angelica* & *Summa Rosella* Tit. *Blasphemia*, *Lyndewode*, *Provi. Const.* lib. 1. de *Officio Archiepiscopi*, cap. 1. f. 40. *Gratian*: Dist. 22. *Sylvester*, Tit. *Blasphemia*. *Tho. Zerula Praxis Episcopalis Pars*. 1. verbo *Blasphemia* f. 38. & pars. 2. f. 15. *Antonij Corset Repertorium* in *Abbatem*, Tit. *Blasphemans*, *Hostiensis Summa* lib. 5. Tit. *de malediciis*, fol. 460. &c. who all accord likewise, that this sinne may and ought to be punished not only by the Ecclesiasticall, but also by the temporall Magistrate, and that with imprisonment, confiscation of goods, fines, branding, and capitall punishments, which sundry Councills and Canonists earnestly importune the temporall Magistrates to inflict upon Blasphemers, Sir *Ed. Cooke* in his 5. Report, f. 8. 9. of the Kings Ecclesiasticall Law, concludes: That Blasphemy, Apostacy from Christianity, Heresies, and Schismes, are to be decided and determined by Ecclesiasticall Judges, according to the Kings Ecclesiasticall Lawes of this Realme; and no doubt they may be punished by the very Common Law it selfe by way of indictment, as in the case of *Hamant* and *Lewis* forecited.

I shall close up this, with the words of *Isychius*; in *Levit.* 1. 7. c. 25. *x Audivimus, quemadmodum de castris eduxit eum, qui Blasphemabit, lapidibusque eum opprimi precepit: Propterea indignationi et opus addidit, et legem tibi etiam experimento ipso confirmatam ostendit, ut et tu blasphemare Deum timeas, illam timens peccati magnitudinem, cum non solum Principes, sed et omnem multitudinem vindicatio precepit. Communis enim debet omnibus contra Blasphematos pugna, quia communi nostro benefactori, communi nostrae vitae, ex quo omnes esse, et bene esse habemus, detrudere tentant; ejus quidem gloria nihil nocentes, nos autem ab eo seperare et expellere volentes.*

[x] Bibl. Patrum Tom. 7. p. 109.

NOTA

You have now heard how Heresy, Apostacy, Blasphemy, Schisme and such who are guilty of them, have bin restrained, punished by Temporall Lawes and punishments in all ages. I shall only adde these few considerations to set the greater lustre and authority upon the recited Lawes, Punishments and proceedings against obstinate seducing Hereticke, Schismaticke, and Blasphemers. First, that they were generally made and severely executed by the most pious,

Religious and zealous Emperors, Kings, Princes, States in the ages when they lived, out of their piety, great zeale, love to God and Christian Religion; not by such as were irreligious, prophane, carelesse of Gods worship, or of a persecuting disposition.

[2] Sozomen
Ecl. Hist. l. 4.
c. 13. Socrates
l. 5. c. 8. 10.
Surius Con-
cil. Tom. 1. p.
483. 484. 617
Nicephorus
Ecl. Hist. l. 12.
c. 13.

[a] Surius
Concil. Tom. 1.
p. 434. 435.
Nicephorus l. 9
c. 40. 41.

[b] Surius
Tom. 1. p. 616.
617.

[d] See August
Contr. lit. Petil
l. 2. Contr.
Cresconium
Gram.

l. 2. Epist. 48.
30. 159. to 170
Gratian. Caus.
23. q. 3. 4. Eu-
seb. de vita
Constantin. l. 3. c.
6. 4.

[e] See Euse-
bius de vita
Constantin. l. 3
c. 64. Nubri-
gentis l. 2. c. 13
Leo 1. Epist.

39. August.
Epist. 48. 50.
[f] Psal. 2.

Act. 4. & 5. c.
8. 4. & c. Dan. 2
44. 45. c. 4. 34.
c. 7. 14. 27.
Mich. 4. 7. Luc.
1. 3. 33.

2ly. That they were made at the desire and earnest request of the most godly, pious, Orthodox Councells, Bishops, Ministers and zealous Christians living in the times wherein they were enacted: witnesse the *Epistles & Decrees of the second [2] generall Councell of Constantinople to Theodosius the Elder*, of the councell of *Ariminum* to the Emperor *Constantius*, of the *bcouncell of Africk* to the Emperor *Honorius* Can. 25. to 61. of the *cBishops and Clergy in the third generall Councell of Ephesus* to *Gallimar King of Persia*, and *Theodosius the Emperor*. The *Epistles of Leo the first*, to the Emperors *Theodosius*, *Martianus* and others. *Epist. 9. 13. 14. 38. 39. 23. 44. 50. 58. 91.* *Augustine Epist. 48. 50. Gratian caus. 23. q. 3. 4. with sundry others:*

3ly. That they were generally *d*applauded by all, opposed and writ against by none for ought we find, as contrary to the word of God, and the Government under the Gospell, but only by the factious and seditious *Donatists*.

4ly. That Gods blessing on these Lawes & the severe putting them in execution, was the principall meanes to *e* suppress, extirpate, the Heresies and Schismes of the *Arians*, *Pelagians*, *Maniches*, *Donatists*, *Enricbeans*, and the like, which abounded in those times, when preaching and disputations would not do it: yea, that which stopped the propagation of them to posterity, with the growth and spreading of them for the present, in those ages, as all *Ecclesiasticall Hystorians* evidence.

And although it be most certaine, that all the Lawes and punishments in the world *f* cannot suppress the true faith and Doctrine of Iesus Christ, nor hinder the prevailing progresse of it, which commonly spreads fastest under the hottest persecutions; yet it is most true, that execrable Heresies, Errors, Blasphemies and Schismes contrary to Gods word, may be and alwayes have beene suppressed, yea extirpated by temporall Lawes and punishments in all Ages, when no other meanes could prevaile to do it; and where such Laws are most severely executed, the Heresies, Errors, Schismes, blasphemies, either break not out at all, or are soone suppressed, and never grow Epidemicall, or of long continuance.

From all which Lawes and considerations, I shall deduce this Argument, as auxiliary to the former.

Those things which the most pious, zealous, and devout Emperors, Kings, Magistrates, States, even at the prayer or request of the most holy, Orthodox learnedest Councells Bishops, Clergy-men, and with the generall approbation, and desire of the best and most Zealous Christians, (with very good successe to the publike tranquility, peace of the Church, and preservation of the Christian faith in purity) have by their Lawes and sanctions punished with corporall, or Capitall punishments in all, or most Ages and Realmes where there were any Christian Emperors, Kings, States, Magistrates, all Christian Princes, Magistrates, Republiques may with safe consciences and good successe punish yea censure now, and ought to do it.

But the most pious, zealous & devoutest Emperors, Kings, States, Magistrates, at the prayer and earnest request of the most holy, Orthodox, learnedest Councells, Bishops, Clergy-men, and with the generall approbation, desire of the best and most zealous Christians, (with very good successe to the settlement of the peace of the Church, and preservation of the Christian faith in purity,) have by severe Lawes and sanctions punished Hereticks, Apostates, seducing false Teachers, Blasphemers, and obstinate dangerous Scismaticks, with corporall or capitall punishments, in all or most Ages, Realmes, States where there were any Christian Emperors, Kings, States, Magistrates, as the premises manifest.

Therefore Christian Princes, Magistrates, Republiques may doubtlesse with safe conscience and like good successe, punish them in like manner now; yea, and ought to do it, unlesse they will be reputed lesse pious, zealous or devout then they, or lesse carefull of the publike peace and peoples soules then they have bin.

And thus much for the affirmative part. I now come to Answer the chiefe Objections lately made in Presse or Pulpit to the contrary, especially Mr. *Dela*, which are freshest in memory, and much relied on by his Independent party.

An Answer to the contrary Objections.

The Objections made to the contrary by our Opposite dissenting Brethren; Libertins, Sectaries, Anabaptists, are deduced partly from Scripture, partly from reason. Some of those from Scripture I have already answered in the premises, as they lay in my way. I shall now propound and answer those only which remaine, taken almost verbatim from the Donatists and old Anabaptists.

The first Objection is, from the * Parable of the Tares, *Math. 13. 24. to 31. & 36. to 43. Where when the Servants would have gone and gathered up the Tares out of the Wheate, before the Harvest, the householder said, Nay; least whiles ye gather up the Tares, ye root up also the Wheat with them: Let both grow together Untill the Harvest, and in the time of Harvest, I will say to the Reapers, gather you first the Tares together, and binde them in bundells to burne them, but gather the Wheat into my Barne:* Which Harvest Christ interprets to be the end of the World, and the Reapers to be the Angells, v. 39. Whence they inferre, that Hereticks, Schismaticks, false Teachers and Blasphemers being Tares, must bee let alone to grow among the Wheat, and not pulled up nor rooted out by the Majestrate, till the Harvest at the end of the VWorld; and then only to be gathered by the Angells into bundells, and cast into Hell fire, but not to bee burnt or punished here by the civill Powers. So the * Donatists and * Anabaptists.

To this, I answer, First, that this being but a parable, the whole scope of it must be observed, else no solid Argument can be deduced from it: Now the whole drift of this Parable is only to shew, there shall not be a total separation of all the Tares from the Wheat, all the sheep from the Goates, all the Reprobate from the elect, all the Children of the wicked & the Devill, from the Children of the Kingdome, till the day of judgement at the end of the World; as is undeniable by Christs owne exposition of it, v. 27. to 34. by that other Parable of the net, v. 47. to 50. and by *Math. 25. 31. to the end* 2 *Thess. 1. 8. 9. 10. Jude 14. 15. Re. 20. 12. 13. 14. 15. c. 22. 14. 15.* compared. The only argument then which can be

* Augustine de Baptism. contr. Donatum l. 4. Contr. Literas. Petil. l. 2 c. 90. Contr. Cresconium Gram. l. 2 c. 34. * Lucas Olander Enchirid Contr. cum Anabaptistis. c. 9. q. 4. p. 220

properly deduced from this Parable is this. God will not make a totall separation of al wicked men from the good, of all Tares and Children of the Devill, from the VVheat and children of the Kingdome in this world; nor gather together all the wicked, and cast them into a Furnace of fire, where shall be weeping and gnashing of Teeth, till the end of the World.

Ergo, Christian Princes and Magistrates must tolerate all Hereticks, Scismatics, false Teachers, Apostates, Idolaters, and execrable Blasphemers in the Church, and not punish, extirpate, burne or cut them downe with the sword of Iustice, till the generall day of Iudgement at the end of the World.

If this Argument hold good, marke then the necessary absurd consequences which will likewise follow from it. First, that no Traytor, Murtherer, Robber, Theefe, Sodomite, nor hainous Malefactor whatsoever, must be once medled with, punished, or put to death by the Magistrate in this world, but all tollerated and let alone till the end of the World, and reserved only to Gods Iudgement, and eternall punishments in Hell; because the *Tares* here (*) are all the *Children of the Devill*, and wicked one of whatsoever kind (not Hereticks, Schismatics, Apostates false Teachers and Blasphemers only) as is cleare by v. 38. 39. 40. 41. And if no Tares must be pulled up, no offenders whatsoever punished by Kings and civill Majestrates till the worlds end, then what will become of the Magistrates Office, power, of humane society, it selfe, of all States, Republickes which cannot possibly subsist, when all capitall offenders of all sorts must be left unpunished, unrestrained. If this bee our opposites reall position let them speak it out in plaine English, and then the world will easily discover what *Libertines*, what *ill Statesmen*, and *black Saints* they are.

2ly. Then Parents must not correct their Children, Masters their Servants, Schoole-Masters their Schollers, Superior military Officers, or a Councell of Warre, their Inferior Souldiers (which I hope they doe, or should do in all Armies,) but they must be let alone till the day of Doome, or the worlds end without punishment; and then what will become of all Families, Schooles, Armies: yea what Monsters of impiety would Children, Servants, Souldiers prove in a very few yeares space?

3ly. Then it wil necessarily follow, that the Objectors of the Separation have no ground at al to separate from us, because some Tares grow in our Churches, and we have mixt Congregations & Communion, the things they so much declaime against; and must be really guilty of obstinate Schisme: for if the Tares and Wheate must grow together till the Harvest, and not be separated till the end of the world, and that by the Angels, then why or how can they separate themselves from our publike Congregations now, because they have some Tares which grow among the wheat? Yea, why will they (as they pretend at least) suffer no Tares to grow within their separate fields & Congregations here, but gather and cast them quite out of their Congregations, Troopes, Regiments, who must all consist wholly of visible Saints and Children of the Kingdome? If both must and will grow together till the Harvest, why do they not permit them to grow together in their Conventicles, where I feare more Tares do grow and are sown then in our publik Assemblies? If they Object, they must grow together in the field, which Christ interprets to be the world v. 38. not

[*] See Christom Theophilact. Hieronimus, Cyprian, Angustine, Beza Luther Bucer Marlorat. Mr. Rutherford, due right of Presbyteries p. 359. 360. Belarmin lib. 3. De Iacis c. 22. Pamellius in Epist. 52. Cyprian Aunot 78.

[x] See Cyprian Epist. 4. Epist. 2.

not in the Church, which is not the world: I answer, First, that the world here is not put in opposition to the church but for it, as including it; for it is put for the world, and field wherein there are *Tares* mingled with the *Wheat*, and the *Children of the wicked* intermixed together with the *Children of the Kingdome*; Now if you take the world herein opposition or contradistinction to the church, then there can be nothing but *Tares* in it, and no *Wheat* nor children of the Kingdome, which grow only in the church, not in the world as distinct from it. Therefore this evasion will not avoid the objection, nor justify their separation, no more then the *Donatists* of old, as *Augustine* proves at large against *Cresconius*, the *Donatist*, out of *Cyprian* and others; concluding thus. (*) *Si videntur in Ecclesia esse zizania non tamen impediri debet, aut fides, aut Charitas nostrae, ut quoniam zizania esse in ecclesia cernimus, ipsi de ecclesia recedamus, Nobis tantummodo laborandum est, ut frumentum esse possimus, ut cum caperit frumentum dominicis horreis cendi, fructum pro opere nostro & labore capiamus. Apostolus in Epistola sua dicit, In domo autem magna, non solum vasa sunt aurea et argentea, sed et lignea & fictilia, et quaedam quidem honorata, quaedam inhonorata: nos operamur, ut quantum possimus laboremus, ut vas aureum et argenteum sumus.*

ANSWER.

* Contr. Cresconium l. 2. c. 34, 35, 36, 37, 38.

2ly. The Church is in the field of this world, and there now are, have bin, and ever will be in the most pure and perfectly reformed churches, chaffe and *Tares*, as well as *Wheat*; *Gates*, as well as *Sheepe*; yea, more *Children of the wicked one*, then *Children of the Kingdome*, and they neither can nor shall be totally severed till the Harvest at the worlds end; wherefore your separation from our parochial churches, because they are mixt, and are not all real and visible Saints but have some *Tares* among them, is point blank against your owne argument from this parable, and to the text it selfe.

3ly. If your separation from our churches, because there are *Tares* growing in them with the *Wheat*, and your casting out from your separate congregations, such as you deeme *Tares* and *Gates*, be justifiable; then the civill Magistracy may and must, by the same reason, punish, banish, root, & cast such out of their Christian Republics; there being no ground why the Magistracy should admit such to grow together with the wheat in the field of the Christian State or church, when as the Ecclesiasticall Officers ought not to suffer them in their particular churches; so as this Parable contradicts your owne practise of separation, and this your objection from it, against the civill Magistrates power.

4ly. To answer more particularly: the Objectors may with better probability argue hence, that Husbandmen must not weed their corne nor pluck up the *Tares* that grow together with it before the Harvest corne (which would be strang new-light, new doctrine to all good Husbandmen living in the country,) because this Husbandman bid his Servants here, let the *Tares* alone till the Harvest, least they should pluck up the wheat together with them; as conclude hence, that Hereticks, Schismaticks, Idolaters, Blasphemers and the like, are to be tollerated, and not punished, nor rooted out by the civill Magistracy, but let to grow untill the end of the world, when the generall Harvest comes. First, because the *Tares* here spoken off, are all sorts of wicked men whatsoever, and all Children of the Devill living in the world collectively considered

sidered; not such or such particular pestilent Hereticks, Schismatics, false Teachers, Apostates, or Blasphemers, who are more mischievous and notoriously obnoxious then others; so that the argument hence is only this.

All Tares and wicked men shall not be rooted out and severed from the wheat till the end of the world and the last Iudgement.

Ergo no pestilent seducing Hereticks, Schismatics, false-teachers, or execrable Blasphemers are to be punished and rooted out by the Christian Magistrates now, but must all be left unpunished till then, though they do never so much present mischief.

Thirdly the Seryants here, that would have gathered up those Tares before the Harvest, were not the civill Magistrates, but rather the Ministers of the Gospell, who have no power to root them up with civill censures, and capitall punishments, but only by the word of God: so as the Argument hence can be no other then this, if truly propounded. Ministers of the Gospell must suffer the Tares and wheat to grow together till the Harvest, because they have no power to roote them out by civill punishments.

Ergo Magistrates and Christian Princes, who by Gods appointment have the sword and Sickle of Iustice in their hands, must also suffer them to grow untill the Harvest at the worlds end, and not root any of them out, or cut them downe till then.

[b] Rev. 14.
15 16. Joel. 3.
13. Gen. 15. 16
Ier. 24. 2, 3, 8,
9. 10 Nah 3.
12
[i] Math. 13.
39. 41. 49. c. 24
31.

Fourthly there is a double Harvest and cutting downe of Tares; First, a particular Harvest here; and that is when mens (h) sinnes are ripe and growne to maturity, crying out for the Majestrates sword, and sickle of Iustice to root up and cut them downe. And in this Harvest the christian Magistrates are, and ought to be the reapers, in cutting them off with corporall and capitall punishments. Secondly a generall harvest at the last day, when all the Tares and Reprobates shall be cut downe and gathered together, and thrown into hell fire for all eternity; and in this harvest, (i) the *Angells only are the reappers*, not the civill Magistrates, which harvest only is here intended: So as the argument hence must bee only this.

God doth not cut downe, gather nor bundle up together, nor cast into hell fire for all eternity by his Angells, all the Tares and wicked men in the world, till the generall harvest and judgement day at the worlds end. Ergo Magistrates must not cut downe or root out any particular Tares: nor any seducing pestilent Hereticks, Schismatics, Apostates, Blasphemers, Idolaters, Malefactors by corporall punishments here in this life.

Fifthly the reason here given for this *letting the Tares alone, lest while ye gather the * tares, yee pull up also the wheat with them, intimates*, only thus much to us: That when and where the Tares cannot be weeded out, without rooting up the wheat together with them, there both must grow together till the harvest, otherwise not, where the Tares may be rooted out, without rooting up the wheat too. This rule holds good both in Husbandry, policy, and Divinity. Men will not weed their corne when and where they must of necessity root up all their wheat together with the Tares: yet when and where the weeds may be rooted up, without any hurt to the Corn, there none but very ill Husbandmen will suffer them both to grow together till the Harvest, for feare the

* See Pameli-
us Annotat.
in Epist. 52.
Cyprian 1.
Annot 78. p: 63

See Calum
Marlorat, Bucar
and Luther in
Locum.

the weeds should spoile or overgrow the wheat. The argument then deduced from hence can be at most, but this

Magistrates must suffer the Tares of Heresies, Scismes, and Blasphemies to grow together with the wheat, only where they cannot root them out without pulling up the wheat together with them.

Ergo they must not extirpate them, when and where there is no danger of rooting up the wheat together with them, as now there is no such danger.

When as the contrary conclusion follows, Ergo they ought now to roote them out, for feare the Tares should corrupt the wheat, or turne it into Tares too, as * *Pamelius* well observes, and others on this place. I hope the objectors see by this time, how much this Parable makes against them, and that they will never object it for the future to so little purpose as hitherto they have done.

The 2. Objection is from Acts 5. 25 to 41. which because Mr *John Goodwin*, in his *Theomachia*, & (k) others in print, and Master *Hugh Peters* in sundry of his roving Sermons in the Pulpit, have of late so much abused, perverted to prove a toleration of all *Sects*, *Heresies*, and eclipse the Authority of the Christian Magistrate in suppressing Heresies, false Doctrines, Scismes, by imprisonment, banishment, Interdictions, Fines, or any such heterogenicall meanes, (as they stile them) I shall recite and answer at large.

'The Apostles being brought before the Councell for filling *Ierusalem* with their Doctrine contrary to the Councels strict command, not to teach in Christs name, *Peter* thereupon replied; We ought to obey God rather than Man, &c. when they heard this they were cut to the heart, and took counsel To SLAY THEM. Then stood there up in the councel, a Pharesee named *Gamaliell*, a Doctor of Law, had in reputation among all the people, and commanded to put the Apostles forth a little space, and said unto them; Ye men of *Israel*, take heed to your selves, what yee intend to doe as touching these men, (marke his reasons and examples whereon our Antagonists rely.) For before these dayes rose up *Thoudas*, boasting himselfe to be some body; to whom a number of men about foure hundred joyned themselves; WHO WAS SLAIN, and, AS MANY AS BELIEVED HIM WERE SCATTERED and brought to nought: After this man rose up *Iudas* of *Galilee* in the dayes of the taxing, and drew away many people after him: HE ALSO PERISHED. & ALL, even as many as obeyed him WERE DISPERSED. And now I say unto you REFRAINE FROM THESE MEN, AND LET THEM ALONE; for if this counsell or work bee of men, it will come to nought; but if it be of God ye cannot overthrow it, least happily ye be found, even to fight against God. And to him they agreed; And when they had called the Apostles, AND BEATEN THEM, they commanded that they should not speak in the name of *Jesus*, and let them go, From the latter part of *Gamaliels* advise, our [] opposites conclude; That Christian Magistrates ought to forbear the oppression, suppression and restraint not only of such persons, Doctrines, wayes which men have any reasonable cause at all to think, or judge, that they may be from God; but even the suppression and restraint of Heresies, Errors, Blasphemies, &c. by imprisonment, Banishment, finings, and the like: and that ordinarily the smiting of the

* Annot. in Epist. 52. Oyprian Annot. 78.

Object. 3

[k] See the Reply of two of the Brethren to A. S. p. 60.

[l] Mr. *John Goodwins* *Theomachia*. p. 11. 37. & Mr. *Peters* in sundry Sermons.

'Shepherd or head of any Sect or Error, is the gathering together, the multiplication and increase of his sheep: and so a grand Charter for the toleration of all Heresies, Errors, Schismes, Blasphemies, Hereticks, and Seducers, by the civill Magistrate.

Answer.

To which I answer, that this Text, which the Anabaptists make use of to the same purpose as the objectors, warrants neither of these conclusions. For first I might quarrell with the words themselves, being not the speech of any of the Apostles inspired with the Holy Ghost, nor of any professed Christian, but of a Pharisee, a grounded wicked man and enemy of Jesus Christ (as Mr. Peter usually stiles him, though he highly magnifies him afterwards) yea, of one who believed not in Christ, and doubted whether his counsell, work, and way were of God or not, as is evident by Vers. 38, 39. and so no part of canonically Scripture though recorded in it, no more then *Rabshekah* his blasphemies and railing speeches, 2 Kings 28. 17, &c. 2 Chron. 32. 9. to 21. or the High Priests and Jewes false testimonies and invectives against Christ, Paul, and the other Apostles, Mat. 11. 9. c. 12. 24. c. 26. 60. 61. &c. c. 27. 63. c. 28. 11. to 16. Acts 2. 13. c. 24. 1. to 10. And although God in his providence made use of this advice for the present, to rescue the Apostles from death, as he did of the Centurions and others to save Pauls life, Acts 23. 31. 32, &c. c. 22. 12. to 32. c. 27. 42. 43. yet it is no canonically Scripture nor solid ground to raise any divine argument from, especially to controll the expresse commands of God, and the undoubted canonically Scriptures forecited.

Secondly, I answer, that both *Gamaliels* examples are contradictory to his and the objectors conclusion. The first example he instanteth in is, that of *Theudas*, who had about four hundred men of his separate Congregation (more then most of our Independent Ministers have in their flock;) But what became of him? was he permitted to go on in his schisme and seducement? No, for he was slain, as the Text expresseth: And was the smiting of this false Shepherd, or head, the gathering together or multiplication of his flock, as Mr. *John Goodwin* observes from hence? No such matter, for the text is expresse That all as many as believed him, were scattered & brought to nought. * *Iosephus*, * *Eusebius*, and others from them relate, that this *Theudas* was a Sorcerer, who stiled himself a Prophet (or Newlight) making his followers believe, that the river *Jordan* would divide it self at his command: but he was met with and encountred with a great force at *unabaras*, by *Fadus*, Lieutenant of *Judea*, who slew many of his followers, took divers others of them alive; beheaded *Theudas* himself, and brought his head so *Jerusalem*; nor letting him, nor his seduced Profelytes alone to God himself to destroy or suppress. What then must be the naturall inference hence, but this?

Theudas the false Prophet, who had raised four hundred followers, was slain by the hand of Justice, and all that believed him were scattered & brought to nought, by *Fadus* Lieutenant of *Judea*, and his forces.

Ergo, Hereticks, false seducing Prophets, obstinate Schismaticks, and Blasphemers, must be tolerated, and their congregations freely permitted, but not suppressed, dispersed by the Christian Magistrate, nor punished with any corporall or capitall punishments. Whereas the quite contrary follows from it.

The second instance is that of *Judas* of *Galilee*, who rose up in arms against

* *Antiq. Ju-*
deorum, l. 20.
c. 4.
* *Eccles. Hist.*
l. 2. c. 11.
Meredith
Hammers Chri-
nology.

King Herod, and made an open rebellion, wasting the country with fire and sword, as (m) *Iosephus* relates, and drew much people after him. Now what became of him? was he let alone? No, he also perished, and all, even as many as obeyed him, were not gathered together, and multiplied by the smiting of this Prophet and head (as Mr. *Goodwin* infers point blank against his Text) but dispersed by the Roman forces. So, that Egyptian Sorcerer, who stiled himself a Prophet, and drew 4000 men after him into the Wilderness, *Acts 21. 38* had like success. * *Iosephus* and * *Eusebius* write, that he drew at least 30000 after him to Mount Oliver, intending to surprize Jerusalem and exercise tyranny in it, both upon the Roman watch and the inhabitants, who thereupon was encountred and routed by *Felix*, and all his followers slain, taken or scattered. What then can be the Argument from this example? only this.

Notorious Traitors, Rebels, False Prophets, who rise up in armes seditiously against Authority, are sure to perish, & all that obey them shall be slain or dispersed by their Princes forces at the last, as *Indas* and his confederates were.

Ergo, Rebels, Murderers, as well as Hereticks, Schismaticks, and Blasphemers, must be let alone and not suppressed; punished with corporall or capitall punishments; or if they be, it will gather them together, and multiply them ordinarily, not disperse and bring them to nought.

This is *Gamaliels*, Mr. *Goodwins* and Mr. *Peters* new mysterious Logick and Divinity, from this instance, and example in this text.

Thirdly I answer, that *Gamaliels* conclusion, And now I say unto you, forbear these men and let them alone: as it is no necessary consequence from the premised instances, so the reasons whereon it is grounded, will no way warrant the opposite conclusion from it. The first of them is this, For if this counsell or work be of man, it will come to nought; to wit, of it self, without slaying the Apostles; for that must be the meaning. But this is no solid reason even in point of Divinity and civill Policy, as will appear by these ensuing instances. *Job 8. 22. The dwelling-place of the wicked shall come to nought*: will it therefore necessarily follow thence, *Ergo*, The civill Magistrate ought not with good King *David*, Early to destroy all the wicked of the land, and cut off all evill doers from the city of his God, *Psal. 101. 8.* but forbear and let them alone till God himself destroy them? So *Amos 5. 5. Seek not Bethel* (that is, the calves and Idols there) *for Bethel shall come to nought*: Will it thence follow, *Ergo*, the good Kings of Israel were to forbear the Altar and high places at Bethel, and let the Calves and idolatrous worshippers of them there alone? Then good King *Iosiah* did very ill, In breaking down the Altar and high places that were at Bethel, which *Ieroboams* the son of *Nebad*, who made Israel to sinne, had made; in stamping the high places to powder, in burning the Groves, and in taking away all the Houses of the High places that were in *Samaritan*, which the Kings of Israel had made to provoke the Lord to anger, and in doing to them as he did in Bethel, and in slaying all the Priests of the High places that were there upon the Altars, and burning mens bones upon them (for which he is for ever chronickled as a pattern of zeal and imitation to posterity). *2 Kings 23. 8. to 21.* If this new Policy & Divinity had bin known to the godly Kings and Prophets

in the Old Testament, not one Idolater must have been put to death, according to Gods commands foretold; nor no one *Idol, Image, High-place, Altar, or Grove* destroyed by the Prince, Magistrate, People, but all of them must have been forborn and let alone, because being but the carnall works of men, they would have come to nought of themselves. But this *Gamaliel* was not then a Dr. either of Law or Divinity to these good Kings, as he is now to our *New-lights*, who would rather live under *Gamaliels* government, were he now alive (as Mr. *Peters* hath oft openly protested in the Pulpit) then under the best Presbyterian government or Government in the world. Again, It is written, *Psal. 33. 10. The Lord bringing the counsel of the people to nought, he maketh the devices of the people of no effect:* (which is likewise seconded, *Isay 8. 10. cap. 19. 3.*) as he brought the counsel of the enemy to nought against *Ierusalem*, *Nehem. 5. 7. to 19.* Will it thence follow? *Exgo*, *Nehemiah* and Gods people did ill, in setting a watch, in arming themselves, and fighting against them, to frustrate and resist their counsels, as we read they did. Will any prudent Prince or State neglect to apprehend and execute the Heads or Ringleaders of a new-plotted Treason, Or fresh Rebellion, and forbear and let them alone, because at last they would come to nought of themselves? Will any man be so foolish, as not to put out a fire which may endanger his whole house, or an whole City, because peradventure it will at last go out of it selfe, when the whole house or City is consumed? Doubtlesse no. *Gamaliels* argument therefore, and our opposers from his reason, is neither agreeable to the rules of Divinity or Policy, as these instances manifest, and right reason to. For though Heresies, Blasphemies, False-teachers, Schismatics, and the like, will at last come to nought of themselves, yet this is no argument at all to forbear and let them alone. First, because it may be very long before they will come to nought of themselves if let alone: whereas the Magistrate by his censures will speedily suppress them. Secondly, because they may spread very far, doe much hurt, and seduce divers, if let alone; but not so, if speedily suppressed, and severely punished by the Magistrates, as soon as broached and discovered. Thirdly, because the letting of them alone will breed much disturbance and schisme for the present, discontent the most pious, zealous, religious; yea, bring judgments on the Churches, States, Magistrates, people, that permit them, which a timely suppression & execution of justice on them might prevent, as I have proved in the premises. Fourthly, it is a received Maxime, both in Politicks, Ethics, and Physicks, *To withstand the rise and first beginnings of evils*, though at last they may come to nought of themselves. It is the advice of a greater Doctor then *Gamaliel*, *Prov. 13. 24. He that spareth his rod hateth his sonne; but he that loveth him chastiseth him* **SOMETIMES**; yea *David* would **EARLY** destroy all the wicked of the land, *Psal. 101. 8.* and the reason is rendred, *Eccles. 8. 11. Because sentence against an evil work is not executed SPEEDILY, therefore the hearts of the sonnes of men is fully set in them to doe evill.* The longer evils and vill men are tolerated, the more obstinate, the more pernicious, and incurable they grow: and therefore *Ezra 7. 26.* King *Artaxerxes* gave this charge to *Ezra* and the Judges, *Whoever will not do the law of thy God, and of the King, let judgement BE EXECUTED SPEEDILY AGAINST HIM, whether it be*

Principiis ob-
sta sero medi-
cina paratur,
Cum mala per
longas invalu-
ere moras.
Ovid. De
Re. n. amoris,

unto death, or to banishment, or to confiscation of goods, or to imprisonment. If Dr. Gamaliel, Mr. Goodwin, or Mr. Peters, had been of this good Kings, or of Davids & Solomons Privie Counsell, or Clerks of their convocations, or Burgeses in their Parliaments, we should never have heard of such precepts, Lawes & Texts as these, against Idolaters, and other Malefactors, but Gamaliels absurd Counsell; *Forbeare these men and let them alone*, must have controled their more sacred and sage advises. If Gamaliel, Mr. Goodwin or Mr. Peters should advise *Gardeners*, or *Husbandmen*, not to pluck up the weeds in their Gardens and cornfields whiles they are Greene and young, but to let them alone till they wither of themselves: or counsell sick men, when their diseases are but breeding or creeping upon them, not to take Physike to prevent or remove them, but to forbeare and let them alone till they wore away of themselves: or advise Shepherds not to drive any Wolves and Foxes from their flocks as soon as ever they come near or entred the folds, but to let them alone till they had filled their bellies on their flocks, & then they would depart of themselves: they would certainly deride, reject them as most absurd impolitick Doctors, Physitians, Shepherds, rather to be hissed at, then followed. *The case of tolerating and letting alone Hereticks, Schismaticks, false Teachers, Blasphemers*, is just the same, who are as badde, nay worse then any weeds, Pests, sicknesses (p) [p] 2 Time, Cancers, Wolves, and therefore not to be tolerated or let alone, but speedily suppressed. Hence St. Iohn who was a better Doctor then either Gamaliel, Mr. Goodwin, or Mr. Peters, commanded Christians, not so much as to receive false Teachers into their houses, nor yet bid them good speed, 2. John 10. And Paul himselfe, Gal. 2.4. 5. When false brethren came to spie out his liberty in Christ, & bring him and others into bondage, writest thus of himselfe and them. *To whom we gave place by subjection* NO NOT FOR AN MOVRE, *that the truth of the Gospel MIGHT CONTINUE WITH YOU* which else would have been soone corrupted. And v. 11. 12. 13. 14. When Peter came to Antioch, and seperated himselfe from the Gentiles fearing them of the Circumcision, Paul presently withstood him to his face, because he was to be blamed, and rebuked him before all. Yea, he giveth this rule concerning Hereticks to Titus himselfe. Tit. 3. 10. *A man that is an HERETICK AFTER THE FIRST AND SECOND ADMONITION, REJECT: &c.* He must not be forborne and let alone, till he perish and come to nought of himselfe, but convicted and cast out presently after a first and second Admonition, at furthest. Wherefore Gamaliels reason and advise with reference to Hereticks, Idolaters, Schismaticks, Seducers, and Blasphemers, (to which our opposites apply it,) is certainly most absurd in point of Divinity, of Policy, and not worthy to grave a Doctor of the Chaire. His second reason is not much better then it, if seriously considered, as applied to knowne Hereticks, false Teachers, Schismaticks, Idolaters, or Blasphemers, (the subjects now in question) But if it be of God ye cannot overthrow it, lest happily he be found to fight against God. Therefore Magistrates must forbeare to punish Idolaters, Hereticks, false Teachers, obstinate Schismaticks and Blasphemers, who for certain are not of God, but fighters against him, and let them alone, (only upon this ground,) as a strange *Nonsensur*.

Indeed where Magistrates are certainly perswaded in their consciences that any Doctrine, way or counsell is of God himselfe, or have sufficient grounds to incline their consciences to beleive that such persons, Doctrines, wayes are, or most probably may be of God, there it is safest to forbear the oppression or suppression of them, if it may stand with publike peace and safety; and this advise will warrant as much: But when there is no such certaine or faire probability, but a cleare conviction, that such Persons, Doctrines, wayes, Schismes are not of God, but against him; then this advice, and reason of Gamaliel, holds not in the least proportion; but in such cases the Temporall Magistrate ought to proceed to corporall, and in some cases, to capitall punishments.

And this I shall cleare from the Text it selfe beyond contradiction: This Councell, whereof Gamaliel was a Member, being cut to the heart with Peters Speech, tooke Counsell to slay the Apostles, as obstinate Hereticks and Schismatics. Gamaliel doubting, and not being resolved that they were such, dissuaded them from it upon this ground, because *their way and Counsell* (in respect of the extraordinary miracles they had wrought and other particulars in the foregoing Chapter) *might very probably be of God, and then they could not overthrow it, and if they opposed it, might hapily be found to be fighters against God*: whereas if he had deemed them absolute Hereticks, Schismaticks, and had not heard or seene their extraordinary Miracles, he would have readily consented with the rest to put them to death; and not advised them, to *refraine from them and let them alone*. Therefore the application of this advise to undoubted Hereticks, Idolaters, false-Teachers, Schismaticks, and Blasphemers (who never wrought such extraordinary Miracles, as Gamaliel and the Counsell saw and knew the Apostles did:) is neither consonant to Gamaliels reason nor advise.

Finally, it is observable, that though upon Gamaliels advise the Councell spared the Apostles lives, and set them free; yet they left them not altogether alone, or unpunished. For first, they did publikly beat them, v. 40. a corporal punishment. 2ly. They laid a strict command upon them, that they should not [after that] *speake in the name of Iesus*, v. 40. Therefore there is direct warrant from this very Text, to restraintsuch as we repute Hereticks, and false Teachers from preaching and private meetings, and to punish them with corporall punishments, though we doubt and conceive that *hapily they may be right in some things*. Wherefore, this Text is so farre from ayding, that it utterly refutes and confounds the Objectors.

OBJECT: 3 The 3. Objection is this, in *Esay 11. 9.* God hath said concerning his Kingdome: [q] *There shall be none to kill or hurt in all my holy Mountaine: And againe Isay 60. 18. Violence shall no more be heard in thy Streets, wasting nor destruction within thy borders: Ergo* the Temporall Christian Magistrate must use no outward force, nor imprison, kill, banish Hereticks, Blasphemers, or obstinate Schismaticks.

ANSWER: I answer, that this is a strange Independant Argument [borrowed from the 2^d under Enchirid (r) Anabaptists] no wayes warranted by the objected texts, here miserably perverted. For in the first of them; *Isay 11. 7. to 11.* there is a Prophecy, that the *Wolfe shall dwell with the Lambe, and the Leopard shall lye downe with the Kid,*

[q] Mr: Dell,
Right Reformation p: 22,
25

Lucas Ofi-
ander Enchirid
Contro. cum
Anabaptistis
c. 9. qu. 3. Argu-
ment 7.

Kid, and the Calf, and the young Lyon, and the suckling together, and a little child shall lead them: and the cow and the Beare shall feed together, and the Lyon shall eat straw like the Ox, and the sucking child shall play upon the hole of the Asse, and the weaned child shall put his hand upon the Cockatrice den: They (to wit, the Wolfe, Leopard, young Lyon, Beare, Asse, Cockatrice, all hurtfull and ravenous Creatures) shall not hurt nor destroy in all my holy Mountaine. Which is againe repeated, *Isay 65. 25.* Now who are meant by these hurtfull creatures? and who are they whom they shall not hurt nor destroy, and in what manner? is the only question. Mr. Dell intimates that christian Princes, States, Magistrates are the *Wolves, Leopards, Lyons, Beares, Aspes, and Cockatrices* meant in the Text; let him then speake it out plainly, and prove it from the Text, which no wayes, warrants such an *Anabaptisticall* or *Anarchicall* Interpretation, both scandalous and destructive to christian Magistracy, and directly contrary to *Isay 49. 23.* *And Kings shall be thy nursing Fathers, and Queenes thy nursing Mothers.* But if it be intended only of persecuting *Sauls* converted into *Pauls*; of men of *Wolvish, Aspis, cruell & ravenous dispositions*, like to these destructive or poisonous creatures, converted and quite transformed from their naturall dispositions by the power of Christ, and of the great peace and amity that shall be betwene all sorts of men of contrary humours and tempers, (when converted and brought into *Christs holy Mountaine*), as all Expositors generally accord; then it is nothing to purpose, and miserably perverted by Mr. Dell, the forme of whose argument must then be this.

Men who before their conversion were as contrary to *Christs* Sheepe, Lambes, Oxen and little Children, as the Wolfe is to the Lamb, the Leopard to the Kid, the young Lyon to the Calf, the Beare to the Cow, the Lyon to the Ox, the Asse and Cockatrice to the little Child that playes upon its hole, shall after their conversion lye downe, feed, and converse together without hurting or destroying one another, and live in a blessed sweet peace and unity together under the Gospel.

Ergo, Christian Princes, States, Magistrates under the Gospel, must not restraine, imprison, banish, hurt, destroy, nor put to death notorious Hereticks, Seducers, Blasphemers, Scismaticks, Apostates, as bad as *Wolves, Aspes, &c.*

Ridiculous Logicke and Nonsense Divinity. But whom shall not these hurt nor destroy in all Gods holy Mountaine? the Lambes, Kidder, and little Children of Iesus Christ, not *Lyons, Beares, Aspes, Cockatrices, Wolves*, (such as Hereticks are), (*) here put in contradistinction to them: Ergo Christian Magistrates must not hurt, banish or destroy damnable obstinate Hereticks, Seducers, Blasphemers, Schismaticks, &c. as as strange an inconsequent as the former; yet this is all Mr. Dell can truly inferre from the genuine meaning of these words. I shall only adde, that this parabolical Text saith, the *Wolves, Lyons, Leopards, Beares, Aspes, Cockatrices* shall not hurt *Christs Lambes, Sucklings, and little Children*, in all his holy Mountaine; but he adds not on the contrary, that if they come, as such, to hurt and destroy his flock (as Hereticks, false Teachers, Schismaticks, and Blasphemers do) that then the *Shepherds and Civil Pastors of Christs Lambes, Sheepe*, may by no

* See Bellarmin De Taint. lib. 1. c. 22

meanes hurt or destroy them ; the point in question. This Text therefore is strangely misapplyed in all particulars by the objector.

Finally, if this text be meant of the times of the Gospel, and of that sweet peace and amity that shall be between all converted members of Christs Kingdome one towards another, that they shall all feed, eat, and lye downe together one with another, and not hurt nor destroy in all Gods Holy Mountaine: then how comes it to passe, that the Objector and those he frequently stiles, the faithfull, the Spirituall people, the Saints, the Anoynted ones, &c. doe not come to this Mountaine, the Church, but separate themselves from our Congregations, and will not lye downe, feed, play, eat nor pray together with those they deeme Wolves, Lyons, Leopards, Apes and Cockatrices, contrary to this prophecy, to the great disturbance of Christs Kingdome? yea why do they all generally betake themselves to the Warres, to kill, hurt, and destroy in all the holy Mountaine? contrary to the very letter of this Text, and Ilay 2.3.4. parallell with it. *Nation shall not lift up sword against Nation, neither shall they learne Warre any more, &c.* Let him therefore give over pressing this Text any further, contrary to its scope, or if he will have it really verified, let him now retract his Petition to the Parliament, to suffer (r) separate assemblings of the Saints both publicquely, and privately as occasion serves, &c. directly contrary to this prophecy, and perswade his Armed saints no more to destroy, hurt, or kill Cavaliers, much lesse any godly Ministers, (whom some of them have threatned, hurt & thrust out of their Pulpits) unlesse they will likewise permit the Christian Majestrate to hurt and destroy obstinate seducing Heretickes, Schismatickes, false Teachers, Blasphemers, notwithstanding this objected Text.

[r] Right Reformation, p. 28. & Epistle Dedicatory,

As for the Second quotation, Ilay 60.18 *Violence shall no more be heard in thee, &c.* I answer, it is meant of the Church Triumphant, not Militant; as is cleare by the three next verses, compared with Rev. 21. and 22. parallell to this Chapter, Iob. 3.17.18.19. and Rev. 14.13. And if so, then the Argument hence, truly Stated, stands thus.

[/] Gen. 6. 11.
23. Psal. 12. 5.
Psal. 55. 9. Psal
58. 2. Psal. 72.
14. Psal. 73. 6.
Prov. 28. 17.
May 53. 9. c. 56
6. Ier. 6. 7. c. 20.
8. c. 22. 3. 17.
Ezech. 7. 11.
23. c. 18. 7. 12.
16. 18. Hab. 1.
3. Lu. 3. 14.
[t] Deutr. 33.
21. Prov. 8. 15.
Ier. 31. 30. c.
17. Psal. 106
30. 2. Sam 8.
15. compared
with Psal. 101.
8

There shall bee no violence, Wasting and destruction heard in the Church triumphant in heaven, which shall be above the reach of force or Enemies.

Ergo, Christian Princes, States, Majestrates, may not make Lawes to punish, suppress incorrigible Heretickes, Seducers, Schismatickes and Blasphemers in the Church militant here on earth.

But grant it meant of the Church Militant under the Gospel: Is the punishment of men with temporall or capitall punishments for their damnable Heresies, Errors, Schismes, Blasphemies, Idolatries, violence or ever so called reputed in Scripture phrase? which useth it only, for (f) *Tirany, Oppression, and Rapine*: or is it not rather *Iustice*, and (t) *executing Iustice and Iudgement*, in all Scripture language? Is the confiscation of the goods, imprisonment, banishment, or putting to death (in some cases) of the persons of such, any *Wasting or destruction*, intended in this Text? If so, let Mr. Dell averre it, at the utmost hazard of his Science, and Conscience, since no sober, nor learned man can or dares assert it: If not, then let him confesse his error in thus wicdrawing and willfully perverting Scripture in so shamefull a manner, before so judicious

judicious an Auditory as those to whom he preached, and that upon a Fast day unfit for strife and debate, as this very Prophet will informe him, *Isay 58.4* and for such new *Logick* as this.

There shall be no violence, wasting, nor destruction heard in the Church, when God shall convert or subdue her Enemies, and give her peace at the last.

Ergo, obstinate Heretickes, Schismaticks, Seducers, Blaspheemers, (yea Traitors, Murderers, Fellons, by like consequence) must not be corporally nor capitally proceeded against, but let alone without any molestation by the Christian Magistrate, and the Parliament must by no means make any Lawes to restraine them now.

Can any man but admire that such strange *Logick* and *Theology*, so purely Independent, should dare fly abroad in print to gull poore silly people, and bee so confidently averred, to be (u) the Lords voyce, the truth of Christ, the mind of God, &c. as Mr. Dell asserts.

The 4th. Objection from Scripture, is this, which seemes more coulerable, but is no more substantiall then the former, (x) *Christ never used the power of the world, but did all by the power of the word. Neither did Christ command his Disciples to use any such outward power, but he sent his Disciples to preach, and bid them, say, into what house soever they entred, Peace bee to this house: And if men would not receive peace, and the Doctrine of Peace, not to force them, but to depart thence, and to shake off the dust of their feet as a witnesse against them, that they had beene there, according to the will of Christ and the Father, and offered them mercy and Salvation, which they refused. And this is all that the Ministers of the Gospell can doe to any that refuse their Doctrine, and not to go to the secular Magistrate to aske power to punish them, or imprison them, or sell their goods, as now is practised in some parts of the Kingdome, EVEN VPON THE SAINTS: And if men be wicked, is it not misery enough for them to refuse eternall life, except also they inflict on them temporall death? Is it not misery enough for men to refuse the good things of Heaven, except they also deprive them of the good things of this present life? And yet as Luther, saith of the Clergy: Quando non invocatur brachium seculare? & morte utraque terret mundum? when (*) doth it not call upon the secular power, and terrefies the world with both deaths? Surely Christ and the word approve not these wayes. For Math. 18. Christ sets no other punishment on them that would not heare the Church, then that hee should be reconed as an Heathen. And Paul, *1st Tim.* 3. teacheth us, after once and twice admonition, to avoid an Heretick, but not to imprison him, or kill him, or banish him: And againe, those that do these things shall not inherit the Kingdome of God: And againe, he that beleiveth not shall be damned: but not one word of outward or corporall punishment in all the Gospell.*

I answer, that here is a hotch-potch of many Arguments, and Scriptures jumbled together, (commonly objected by the (c) Donatists, and (d) Anabaptists to amuse or delude the simple Auditor and Reader; I shall therefore sever and answer them in order.

The first of them is this, *Lut.* Christ never used the power of the world, but did all by the power of the word, even his punishments, and his destructions

[a] Mr. Dells Epistle Dedicatory.

Object. 4. [x] Mr. Dells Right R. formation p 25.

* See an Excellent answer to his cavill in St. Augustine Epist 48. 50. to the Donatists who first made it.

Answer. [c] Augult. Epist 48. 50. Contr. Lib. Pail. et Contr. Cresconian, Gram.

[d] Bullinger Contr. Anabaptist.

Oflander Encha. i. Cont. Cum Anabapt. qu. 2. 4. c. 9.

Were Object. 1.

Were executed by it. Ergo, Kings and temporall Magistrates must not punish Hereticks, Seducers, Blasphemers, obstinate Hereticks, nor use externall force in matters of Religion. This was the Argument of the *Donatists*, largely answered by St. *Augustine* in his 48. & 50. Epistles; from whom Mr. *Dell* transcribes it.

Answer.

* De confid-
ratione ad Eu-
genium lib. 4.

I answer, First, that Christ in the Old Testament, did make use of the power and sword of Godly Kings and Magistrates to punish *Idolatrous and false Prophets*, as I have largely proved; yea, he makes use of the *ten hornes* (who are *ten Kings*), to punish, burne and destroy the *whore of Babylon*, under the New-Testament, Rev. 17. 16. Besides, the Scripture is expresse, that *Christ is the Head of all Principallity and Power*. Col. 2. 10. that the powers which are are ordained of God, & the sword to be used by them for the good of his Church, People, who are to obey and submit unto them, Rom. 13. 1. to 6. 1 Tim. 2. 1. 2. 1. Pet. 2. 13. 14. Tit. 3. 1. Hence is that of * Bernard to Pope *EVGENIVS*: *Vterq; ergo Ecclesia, & spiritalis scilicet gladius & materialis; sed is quidem pro Ecclesia, ille vero et ab Ecclesia exercendus est: Ille Sacerdotis, is militis, sed sane ad nutum Sacerdotis, & iussum Imperatoris*: which *Augustine* largely asserts in his 48. & 50. Epistles. Wherefore this Position; that *Christ never used the power of the world* (to wit of *Christian Kings and Magistrates*) is directly contrary to these Texts, and to Psal. 78. 70. 71. 76. 2 Chron. 9. 8. c. 18. 5. 6. 7. Extra. c. 4. and 5. 6. & 7. I say 44. 28. c. 45. 1, 2, 3, 4. c. 49. 23. Act. 22. which expressely resolve, that *Kings are Gods Deputies and Instruments by which he acts, rules, judgeth, protects; his owne people, but suppresseth his enemies and evill doers, and seemes monstrous unto me.* 2ly. If the objector intends; that Christ whiles he was on earth, in the flesh, did not make use of the civill Magistrates power, but only of the word to convert men from *Judaisme* and *Paganisme* to imbrace the Gospel: This is true: but will it follow thence, Ergo Ministers and Christians must not make use of the power of Christian Kings and Magistrates to suppress or punish *Heresies, Hereticks, Seducers, Blasphemers*; or *obstinate Schismaticks*? certainly no: For then I may argue in like manner: Christ did not make use of their power whiles on earth, to punish any Murderer, Traytor, Adulterer, Drunkard, Swearer, Thiefe, &c. Ergo no Minister nor Christian may now use them for such ends. Yea, then I may further argue, Christ did not make use of any *Souldiers, Captaines, or Colonells*, to preach the Gospel, nor yet to dip and rebaptise any whiles he was on earth; Ergo we ought not to make use of any such preaching, dipping, rebaptising Souldiers, Captaines, Col. now, who yet run up into our Pulpits, preach their owne errors in private corners, yea dip or rebaptise in Rivers every where. If Mr. *Dell* deny not, but grant this last conclusion: I feare most of his Saints and anoynted ones for whom hee pleads, will renounce or casheire him; If hee deny it, he must by the selfesame reason deny his owne objection.

* See Augu-
sti Epist. 48.
50.

Thirdly, the *Kings and supream secular powers of the world in Christs time* were in open hostility against Christ, and none of them Christian, but all Antichristian, Acts 4. 25, 26, 27, 28, 29. and Psal. 2. No wonder then if Christ made no use of their power. But since that, many of them have been and yet are truly Christian and religious; as some *Kings of Judah and Magistrates* were

were truly pious before Christs time: Therefore he may well make use of their power now (being for and from him) though he did not while he was on earth; as he made use of *Moses, Joshua, David, Solomon, Hezekiah, Nehemiah, Cyrus*, with others heretofore: yea of *Nebuchadnezzars* power to make lawes to punish blasphemy, after his conversion *Dan. 3. 29.* who formerly enacted lawes and punishments to enforce the adoration of his golden Idol, and cast *Shadrach, Meshach, and Abednego*, into the fiery furnace for transgressing them, though afterwards he promoted them for their constancy and sufferings in Gods cause. Fourthly, Christ while he was on earth, did not make use of the books of the *New Testament*, nor of the gift of tongues to convert men. I hope *Mr. Del* dare not thence maintaine. Ergo, we ought not to make use of these books now for this purpose, as some of our * Sectaries now and *Anabaptists* heretofore have taught. Fifthly, Christs main work on earth was, to preach the Gospel as a Minister, *Luke 4. 18, 19, 20, 43. Mark 1. 14 & 1. 8. 1.* not to punish Malefactors as a Judge or Magistrate. To argue then as *Mr. Del* doth; Christ did not use the power of the World, or Magistrate, as he was a Preacher, but of the Word alone. Ergo, Magistrates under the Gospel have no power to punish Hereticks, Schismatics, Blasphemers, and such like Malefactors; is rather to speak Nonsense then Reason or Divinity. And so much for his first Argument.

The second is this: Christ commanded not his Disciples to use any such outward power, but commanded them to preach: Ergo, they may not give to the secular Magistrate, to ask power to punish, imprison, or sell the goods of Hereticks, Blasphemers, Seducers, and obstinate Schismatics; neither may Christian Magistrates punish such with corporall or capitall punishments.

I answer first, that Christ sent his Apostles only [1] to baptize and preach the Gospel as Apostles; not to punish Malefactors, as Magistrates. Therefore the Argument is merely Independent. Secondly, the Magistrates then were Jewish and Heathenists, not Christians; [2] against Christ and Religion not for them. And to argue thus: The Apostles prayed not aide from Jewish or Heathen Magistrates against Hereticks, false Teachers, Schismatics, Blasphemers, or any other Malefactors: Ergo, Ministers, and good Christians, may not pray in aide from Christian Kings and Magistrates against such; nor have they right to inflict corporall or capitall censures on them, ex officio; is a most independent inference. Thirdly, the Apostles had such a power in defect of Christian Magistrates, that they miraculously by the power of Christ, punished *Ananias and Saphyra* with sudden death, for lying unto the Holy Ghost, and tempting God, *Acts 5. 1. to 12.* Yea, *Paul* struck *Elymas* the Sorcerer (when he would have perverted the strait wayes of God, and hindered *Sergius Paulus* the Deputy his conversion, seeking to turn him from the faith,) with sudden blindness, that he could not see the Sunne; whereupon, the Deputy when he saw what was done, believed. Therefore Ministers may in an ordinary way make use of the power of Christian Magistrates to punish or cut off Hereticks, Seducers, and Blasphemers against the Holy Ghost. Or if not, yet Magistrates, ex officio are bound to do it, without their intreaty. Fourthly, *Paul* himself, though an Apostle, *Rom. 13. 3, 4.* and *Peter* too, in the 1 *Peter*.

* See Mr. Edwards, Gagneaux, and Mr. Baillet Anabaptisme ch. 1. 2. 3. 4.

Object. 3

Answer.
[1] Math. 10. 8.
28. 19. 20. Mat.
16. 15. 16. 17.
1 Cor. 1. 17.
[2] Acts 4. 25.
26. 27. 28. 29.
c. 5. throughout.
c. 9. 1. 2. c. 12. 4.
1. 3.

2.13,14. pray in aide from Kings and the higher civill powers for the punishment of evill doers, as being Gods Ministers and revengers, to execute wrath upon them that are evill, as well under the Gospel as Law: and S. Iohn informs us, that the ten hornes (who are ten Kings) shall make the Whore (of Babylon) desolate and naked, and eate her flesh, and burne her with fire, Revel. 17.16. Therefore Hereticks, Schismaticks, Blasphemers, and False teachers, being evill doers, the Ministers of God by warrant from these very Apostles, may * pray in aide of the Secular powers against them; what ever Mr. Dell, (who prays in aide of the Parliament against the Presbyterians in his *Epistle Dedicatory*, in a forceable manner) hath fancied to the contrary; whose assertions certainly are no Oracles.

And whereas he addes (to the scandall of our Parliament, and present Government) that the secular Magistrates do now in some parts of the Kingdom even practise their power upon the SAINTS; in punishing or imprisoning them, and selling their goods I dare averre it a most grosse slander, & desire him to define, who & where those SAINTS are, and what their names? If he mean by this, St. Iohn Lilburne (that impudent Lye, Slanderer of both Houses of Parliament, of the eminentest Members in them, and all sorts of men besides: a most pestilent fire-brand of sedition, deserving a Tiburn-Sainship, as well, as Jack Straw, or Jack Cade,) most justly censured, imprisoned by the House of Peers, for his unparalleled Insolencies, Contempts, and Libels, deserving a severer doom: or his Disciple St. Overton, imprisoned for the like offences, & his Anti-Parliamentary Labels, or any other of his *sedition sect*: it is the Parliaments lenity that they enjoy their lives, and a man (I fear) may finde far better Saints in Newgate, if not in [a] Hell, then these: If he mean S. Best (that horrible, execrable Heretick and Blasphemer) for whose impunity some of the * Independent saints have both written and pleaded, to the very amazement of all true Saints,) its certainly a greater crime to suffer such an impenitent blaspheming Atheistical saint to live so long, then to imprison him: and if any New-lights account him for a Saint, I may without any breach of Christian charity repute them (in this particular) to be little better then Devils, and no real saints at all. If he intend by Saints, S. Paul Hobson (a preaching, but never a fighting Captain, formerly a Taylor, now an Anabaptist) imprisoned by Sir Samuel Luke, for his schismaticall and seditious preaching contrary to the Ordinance of Parliament, or his blasphemous Chirurgeon John Boggis, or his companion S. Oates, (who [b] openly defended, maintained, that there was no such power in any Christian Magistrate over any member of a Church, unlesse first cast out and delivered over by the Church to the secular power, to inflict any capitall punishments upon him, whatsoever his offence was, though MURDER, OR TREASON:) or S. Lambe, S. Kiffin, or any of that Anabaptisticall Dipping towed fraternity mentioned by Mr. Edwards in his *Gangrenae*; who have enriched, advanced themselves by their gainfull Schismes, Heresies, Errors, Blasphemies: I fear our Magistrates (who have already law and power enough to restrain and punish such, without praying aide from both or either Houses) will deserve more blame from God, the Parliament, and all good men, for suffering

* S Hortensius Cavalcanus de Brachio regio Rutgerus Rutlands invocatio triusque Brachii.

* See Mr Edwards his Gangrenae. part.3.p. 148. to 220.

Mr. Bailies Anabaptisme ch.2 4.

[a] Rev. 22.15 Gal. 5.20.21. Iam 5 6 7 8. 1 Cor. 6. 10.2. Te. 2.10.11. 12

[*] Iohn Goodwins modest and humble Queeries upon the late Ordinance against Heresies, Overtons and some Independent vveekly Diurnall vvriters.

b Mr. Edwards 2 part of Gangrenae, p. 161. 162.

such *black saints* as these, to ramble abroad from County to County, preaching their Errors, Blasphemies, and re-baptizing seduced Profelytes without restraint; then demerit any censure, for any short restraint of their persons, or selling any of their goods; who were lately worse then nothing, and had no goods to sell, yet now are grown brave and wealthy. And if our Magistrates imprison, fine, banish such Saints as these, I am confident both Christ and his Apostles will justifie, not condemne them for their doings.

His third Argument is this, [c] *Is it not misery enough for men to refuse the good things of heaven, except they also deprive them of the good things of this present life?* If there be any Logick or Divinity in this rhetoricall argumentation, it is but formally this.

It is misery enough to *wicked men* (his words are generall, and extend to all *wicked men* of all sorts, not Hereticks only) that they refuse the good things of Heaven and Eternall Life. Therefore the Magistrate ought not to deprive any wicked man whatsoever of the good things of this life, nor to inflict upon him temporall death.

I answer, that if this Argument be solid, then the Magistrate must punish no *wicked men* for any offence whatsoever against God or man, no not for *Atheisme, Treason, Rebellion, Murder, Sodomy*, and the fowlest crimes; because the losse of the good things of heaven and eternall life, is a sufficient punishment for them, as well as for Hereticks, Schismatics, and Blasphemers: And then how wil it stand with his own concession (I fear not from the heart, since the whole scope of his Arguments contradict it) p. 27. *As for those that are outwardly wicked* (as open professed Hereticks, Schismatics, and Blasphemers are) *the Magistrate is to keep them in order for the quiet of the State, he having power over their persons, estates, LIVES.* If so, then he may deprive them for their wickednesse of the good things of this life, and inflict upon them temporal death. Let M. Del therefore assay his own contradiction here, which he thus seconds, p. 40. *Did you ever hear me say, or hint, that the Magistrate should not punish outward wickednesse?* Yes, here you hint, intimate, and argue it too; and therefore need to reconcile these your contradictions, or renounce this Argument.

Secondly, God himself, the Fountaine and Rule of justice, doth many times punish wicked men, who refuse the good things of Heaven and eternall life, with the losse of the good things of this life, & infliction of temporal and eternall death to boot; witnesse *Dent. 28. 15. to 68. Levit. 26. 14. to 44. and Rev. 18, 19.* instead of many other texts. If God then, the [d] *standard of justice*, doth usually this, and threatens all wicked men that they shall thus be punished; why may not Christian Princes and Magistrates (who are his [e] *Deputies, Ministers, Revengers*) do the like, without the least injustice or cruelty? Thirdly, the Lawes of all Kingdomes and of our own, do punish Malefactors (as *Traytors, Murderers, and Hereticks* among others) with confiscation of goods, imprisonment, banishment, and death too; not thinking it punishment sufficient, that they refuse the good things of heaven and eternall life. M. Del then must be wiser then God, then all States, Lawgivers whatsoever, then our own Lawes, Parliaments, Judges; and tax them both of cruelty, in-

Object. 3.
[c] Right Reformation. p. 25

Answer. 25
Line 10
p. 40

[d] Gen. 18.
25. Psal. 89:14.
[e] 2 Chron. 9
18:19.

justice,

justice, and adding misery to the miserable, if he dare maintaine this absurd Paradox, which hath neither reason, nor Religion in it.

Object. 4.
[f] Right Re-
formation p. 25

His 4th. Objection is much of the same straine, (f) *Christ imposeth no other punishment on those that will not heare the Church, then that he should be reckoned as an heathen: Math. 18. And Paul. Tit. 3. teacheth us, after once and twice admonition to avoyd an Heretick; but not to imprison him, or kill him, or banish him: Ergo the christian Magistrate must neither imprison, nor kill, nor banish Hereticks.*

Answer.

* And there-
fore they all
presume to
preach and
Prophecie.

Here Mr. Dell speaks plaine English, and out of his abundant zeale, professedly pleads for the impunity even of Hereticks themselves, by the civill Magistrate: and if we compare this with his p. 29. *Take heed you do nothing to the prejudice of the faithfull Gods owne people, as he hath warned you by the Spirit saying; Touch not mine anoynted, and do my Prophets no harme, &c. These anoynted ones are the Lords Prophets, and the Lord hath no Prophets but such as are anoynted with the Spirit: Thus * Christ was made the Lords Prophet: and thus are All his Brethren made Prophets, being fellowes with him in his unction. And therefore take heed how you meddle with the Lords anoynted ones, and with the Lords Prophets, &c. The Lord hath still the same care of the same people, and will suffer no man to do them wrong but will reprove Kings, and Parliaments, and Kingdomes, and Cities, and Countie, and Committees; he will reprove them all for their sakes, and say; touch not mine anoynted and do my Prophets no harme, &c. We must either conclude, that the Prophets and anoynted ones he here pleads for, not to be touched, are none else but Hereticks &c. who must neither be imprisoned, nor killed, nor banished, nor touched, nor harmed, by Magistrates, Parliaments, Kings, Kingdomes, Cities, Countie, or Committees (who now meddle with none but such;) or else, that he assigns the selfe same priviledges even to Hereticks, as to Gods faithfull anoynted ones, Prophets, &c. since Kings, Kingdomes, Parliaments, Cities, Countie, Committees, Magistrates, must no more touch, harme, imprison, kill, banish the grossest Hereticks (by Mr. Dells expresse Doctrine) then these. And then where is that grand priviledge which these anoynted Saints and Prophets enjoy above the veriest Heretick, Schismatick, Atheist, Apostate, Blasphemer in the world? Is not this, my Brethren, strange New-light from such a Comet as he is? But to let this passe, and come to a punctuall answer. As this text of the Psalmist; *Touch not mine anoynted and do my Prophets no harme*, will prove no Sanctuary at all for Hereticks, Schismatick, or Blasphemers (who are neither Gods anoynted, nor his Prophets) against the power of Kings and Christian Magistrates, so will not the objected texts of *Mathew* and *Titus*. For the first of these, is spoken only of (g) private crimes and trespasses betweene Brother and Brother, not of publike scandalous Heresies, Schismes, Blasphemies; and by the Church there intended (as many think) is not meant the Ministers of the Gospel, but the Jewish Sanhedrin or civill Magistracy; or if the Ministers, or Church-Elders, then it is confined only to their Church-censures, not meant of the Magistrates punishments, as others assert. But let it be one or other, the Argument there is but this *Non sequitur*.*

[g] Math. 18.
15. Lu. 17. 3.

* He that refuseth to give his brother, against whom he hath privately and personally trespassed, Satisfaction, upon the admonition of the Magistrate, Church, or Minister; is to be esteemed as a *Heathen*, by him to whom he did the injury: and the church may duly excommunicate him for his obstinacy.

Ergo, Christian Kings and Magistrates, by Christs owne appointment, can inflict no corporall punishment, fine, imprisonment, banishment, or death upon open obstinate Hereticks, Blasphemers, Schismaticks, or Seducers, who disturb the peace both of Church and State, and seduce the soules of many.

Whether this be a solid Argument let all wise men judge.

For that of *Titus 3*. *Paul* teacheth us, after once or twice admonition to avoid an Heretick, not to imprison, kill, or banish him: *Ergo*, Hereticks must only be avoyded, not imprisoned, killed or banished by the christian Magistrate; it is a most childish Argument and inconsequent. For first, *Paul* writs this to *Titus* a Minister as a Minister, not a Magistrate, to avoyd (or reject) an Heretick after the first and second admonition, and to treat with him no longer: who then as a Minister could by no Law of God or man, imprison, kill, or banish Hereticks, nor can our Ministers or Classes do it now, nor claime they such a power: Wherefore the Argument thence must be.

* Ministers of the Gospell, as such, have power only to avoyd and reject Hereticks, after the first & second admonition, not to imprison, kill, or banish them.

Ergo Christian Kings and Magistrates have only authority to avoid, reject, but cannot imprison, kill or banish them.

If this be good Logick or Divinity, then by the selfesame reason they must neither imprison, kill, nor banish Murderers, Traytors, Sodomites, Theeves, Fellons, (nor our Army imprison, kill, plunder any Papists or Cavaliers) because Ministers as such, cannot do it, but only admonish & avoyd them. Besides; if this be granted, then it wholly takes away the Magistrates Sword, Office, Power; and makes him no more, no other then a Minister; first to admonish, and then to avoyd and reject Hereticks, and other Malefactors, not to punish them. And how will this agree with his owne contradictory assertion, p. 40. *The Magistrates power bath under it the whole outward man*: if an Heretick, or Schismatick by his professed practicall Heresie or Schisme, (which are outward offences and works of the flesh) may exempt himselfe from the Magistrates power? alty, the scope of the Text is not, that Hereticks should only be avoyded by Ministers even as such, as Mr. *Dell* presseth it, for certainly *Paul* himselfe proceeded further against *Hymeneus* and *Phileas*, even to deliver them over unto Satan, 1 Tim. 1. 19. 20. 2 Tim. 2. 17. 18. which is more then barely to avoyd them, as all accord; And *Peter* informes us, 2 Pet. 2. 1. *That false Teachers who bring in privily damnable Heresies, shall bring upon themselves swift destruction, even by the hand of humane and divine Justice too*: Deut. 17. 16. But his scope is, that some Hereticks are so obstinate, so dangerous, that after the first and second admonition, he should deal with them no longer, but presently avoid them; as the very next words imply (b) *Knowing that he that is such, is subverted, and sinneth, being condemned of himselfe*, compared with the 2 Tim. 2. 16. 17. 18. This being the genuine scope of the Text, let us turne it into a formall Argument, and then it will be no more but this.

[b] Tit. 3. 10.

* Ministers must not so much as treat with obstinate Hereticks after a first

and second admonition, but forthwith *A void*, and treat with them no more.

Ergo Magistrates must neither imprison, nor Banish, nor put them to death after such admonitions, but only punish them by avoyding them, neither may the Church so much as *excommunicate*, but only avoyd them.

Excellent *New-light*, new *Logick*; in good earnest, an *Ignis Fatuus* might yield as good.

Thirdly, the same Apostle Paul in 2 Tim. 3. 1, 2, 3, 4, 5. informes us. *That in the last dayes perilous times shall come; for men shall be lovers of their owne selves, &c. blasphemers, disobedient to parents, unthankfull, unholy, without naturall affection; truce-breakers, false accusers, incontinent, fierce, despisers of those that are good, Traytors, heady, high minded, lovers of pleasures more then lovers of God; having a form of godlinesse, but denying the power thereof (and then concludes thus of these as he doth of an Heretick) from such turn away, or avoide such.* Will Mr. Dell infer hence, as he doth from Titus, that blasphemers, obstinate and disobedient children to their parents (punishable with death, by an expresse law, Exod. 21. 17. Deut. 21. 18, 19, 20, 21.) Truce-breakers, Traytors, are only to be avoided and turned from, but not whiped, imprisoned, banished, fined nor put to death by the Magistrate, because Paul here writes to Timothy and others, only to avoid, or turn away from such: but not to whip imprison, kill, fine, or banish them? Or will he argue from Prov. 1. 10. to 17. that murderers and thieves who lye in wait and make haste to shed blood, are not to be imprisoned, banished, or put to death, because Solomon adviseth men not to walk in the way with them, and refrain their feet from their path; but commands the not to be put to death? If yea, this proclaimes him a professed Anabaptist, denying all Magistracy and the power of the sword under the Gospel, yea contradicts his own concession, p. 27. *That the Magistrate hath power over the persons, estates, and lives of those who are outwardly wicked, (as open Hereticks, Schismatics, and Blasphemers, are.)* If no, then his argument for not punishing Hereticks with imprisonment, banishment, death, from Titus, will no more hold nor satisfie, then my objection for the not punishing of Traytors, Blasphemers, Murderers, Theeves, with corporall or capitall punishment, from Timothy and the Proverbs: since the word *avoiding*, is used in all three Texts alike, without any mention of corporall or capitall punishments, fines, death. Wherefore they may inflict such punishments on them, if they see cause, as Tit. 3. 1. will sufficiently warrant, compared with Rom. 13. 3, 4.

Fourthly, there is no inhibition to Magistrates in any of these texts, not to punish obstinate Hereticks with imprisonment, fines, death, and expresse warrant to do it in others. Therefore this objection is a meer absurdity.

Object. 5

His fifth Objection is more absurd. Again, *Those that do these things shall not inherit the kingdome of God: And again, He that believeth not shall be damned: but not one word of outward or corporall punishment in all the Gospel: (I shall adde, nor yet one word against it.) Ergo, Hereticks, Schismatics, Blasphemers are not to be punished by the Christian Magistrate with outward or corporall punishment, but only with the losse of Heaven and eternal damnation.*

Learnedly

Learnedly argued. Had Mr. Dell cited his first text fully and thus applied it, his auditory might well have hissed him out of the Pulpit, and his very Saints, if they had any *Sainthood* or *Sanctity* in them, blasphemed at such licentious and prophane Divinity: wherefore to right the Truth, and shame him out of his absurd wrestings of Scripture, I shall quote the first text intirely, and then apply his inference to it. The text (though it seemes he was afraid to quote it) is Gal. 5. 19. 20. 21. *Now the workes of the flesh are manifest, which are these, Adultery, Fornication, uncleannesse, Lasciviousnesse, Idolatry, Witchcraft, Hatred, variance, emulations, Wrath, strife, seditions, (*) HERESIES, Envyings, MURDERS, Drunkenesse, Ravellings, and such like, of which I tell you before, as also I told you in times past, (here comes in Mr. Dells quotation) that they which doe such things shall not inherit the Kingdome of God. Here (saith Mr. Dell) is not one word of outward or corporall punishment, nor in all the Gospel: Therefore Ministers must not goe to Magistrates, nor ought Magistrates ex officio, nor upon any complaint, to punish all or any of these workes of the flesh, with imprisonment, sale of goods, death, banishment, or any outward or corporall punishment, but they must be punished only with the losse of the Kingdome of God. This is the formall Argument in Blessed God, what strange Divinity and New-light is this to be preached on a Fast day before a religious and learned Parliament, and then printed and published (after a manifestation of the house of Commons dislike) FOR THE GOOD OF THE FAITHFULL AND AT THEIR DESIRE; and averred in his Epistle Dedicatory to the Commons house, with infinite confidence and arrogance to be (k) the minde of God, the doctrine of Iesus Christ, the true Doctrine of the Gospel, &c. Will Mr. Dell with his Saints, his faithfull and anoynted ones, GODS PECULIAR PORTION IN THE KINGDOME (so he most arrogantly styles them, as if God had no portion, Saints, faithfull ones, Church, amongst us but those alone) now proclaime to all the world in print, even in a Fast Sermon; that none of all these workes of the flesh, No not Adultery, Fornication, uncleannesse, Idolatry, Witchcraft, Seditions, Heresies, Drunkenesse, Murder, nor any other (suppose Sodomy, Treason, Rebellion, Atheisme, Blasphemy or the most horrid outrages especially if the offenders therein think any of them lawfull in point of conscience) are so much as once to be punished with any outward corporall or Capitall punishment whatsoever, by any Christian Magistrate, Master, Tutor, or Parent but only with the losse of heaven? Is this the Reformation that these New-lights intend? the Liberty of Conscience they preach for, write for, fight for? the Kingdome and Discipline of the Lord Iesus Christ which these Saints, these faithfull ones, this peculiar portion of the Lord, will set up among us? as Mr. Dell (at their desires and for their benefit) here proclaimes it is, without blushing? If so, then it is high time for us to looke after these Black-Saints designes, to * blow up all Magistracy, Parliaments, Lawes Divine and humane, to introduce Anarchy, Libertinisme, impunity of all Hereticks, Blasphemers, Seducers, Malefactors, how pernicious soever, to let corrupt Nature and gracelesse Heresies loose to take their full swing, and plunge men into all sorts of wickednesse, crimes, villanies, outrages with impunity in this world*

Ans.

* Hereses
Paulus inter
carnalia crimi-
na enumerat.
Tas tullianus
aduersus Here-
ses. lib.

[i] So is the
Title Page.

[k] The epistle
Dedicatory.

* See Mr. Edwards Gangra part. 3.
Lilburns Lib-
dons Liberty
in Chaires dis-
covered, Mr.
Baillies Ana-
baptisme Ch.
which 1. 2. 3. 4.

which could not once have entred into my heart to beleieve, had not Mr. Dells words and Arguments enforced me thereunto. Certainly if this bee the Liberty of Conscience they desire, plead, fight for, the blessed Reformation they intend, Heaven and Earth may judge what Saints they are, and I may without breach of charity averre, that the very worst of *Presbyterians*, nay of *Heathens*, are in this particular better Saints then they, who never pleaded for, but alwayes against the impunity of such workes of the flesh as these, and have severely punished them with outward corporall punishments from the very light of nature only. But to let this passe, (which I could not but take notice of, out of zeale to God and our distracted Republike,) the force of Mr. Dells argument hence, is only this.

‘Paul, and all Ministers by and from this Text, are to warne and informe men, that those who doe the workes of the flesh forementioned, *shall not inherit the Kingdome of God*, since they name no outward punishment in this text, he cites, (though he doth in sundry others forecited.)

Ergo, Magistrates under the Gospell cannot punish Heretickes, Schismatics, Seducers, Blasphemers, or any work of the flesh with any outward or corporall punishment.

Did ever any man so confidently propound such shallow Independent Arguments, before a most judicious Parliament in a Pulpit, and then dedicate the same to them with such boldnesse in print, before Mr. Dell? What if Paul writing as an Apostle to the *Galatians* (only as private Christians) to beware of these workes of the flesh, because those *who commit them shall not inherit the Kingdom of God*; will it therefore follow, that Magistrates may not punish any for these workes with corporall or capitall punishments? If so, then they must* not punish Murther, Witchcraft, Sedition, Adultery, Drunkenesse, no more then Heresie, Schisme, or Idolatry. Had Paul writ this Epistle to Christian Kings Magistrates, and told them, that these workes of the flesh must, under the Gospell, be punished only with losse of Heaven; the objection had bin considerable; but writing here neither of, nor to Kings or Magistrates, nor of their temporall power to punish such workes as these: the argument is most absurd, and Childish. The rather, because though Paul & the Spirit of God in this Text speake not of inflicting outward punishments on those who commit the carnall works here specified, yet they clearly enioyne Magistrates thus to punish them, in other Texts both of the Old and New-Testament, and that both corporally and capitally, as I have proved in the premises: And Paul himselfe in *terminis* asserting, Rom. 13. 1, 2, 3, 4. *That the Higher Powers are ordained of God, and are his Ministers for the punishment of evill doers, and his revengers to execute wrath upon them that do evill*; prohibiting them neither in this, nor any other Text to punish such corporally, or capitally, overthrowes this warlike disputant, horse and man, and layes his Argument in the Dust for ever.

His 2d. Scripture and Argument from it: *Hee that believeth not shall be damped*: Math. 18. 18. *not one word of outward and corporall punishment, nor of imprisonment, banishment, losse of Goods, or life*: receive the selfesame answers as the former: only with these further additions to manifest the absurdity

* Since all workes of the flesh all be and coupled together in this text: and vvee are warned to beware of them to, because such who commit them shall not inherit the Kingdome of God.

dity of the inference from it: First, that Christ in this Text, speaks only to his Apostles, what they should preach to *Heathens* (who had then no Christian Magistrates) to convert them to Christianity, not what they should preach to *Christian Magistrates*, to instruct them, how and with what censures they should punish Hereticks, or other malefactors; a subject of a quite different nature. To argue then from hence: Magistrates must not punish Malefactors by vertue of other Texts, because Christ tells the Apostles in this, *what they are to preach to such as would not believe*, is a grosse absurdity. 2dly. Christ speaks here only of *Pagans* and others who believed not the Gospell when preached, not of Hereticks, Schismatics, or Seducers [whom [1] Mr. Dell [1] Epist De. reputes and stiles THE FAITHFULL, &c. though publicly and shame- dicatory. fully called Heretickes, and Scismaticks,) and of their eternall punishment, meerely for unbelieve, not for Heresy, Schisme, Blasphemy, nor of the temporall punishment of such, nor yet of unbelievers, by the civill Magistrate. Therefore to argue from meere Infidelity, to Heresy, Schisme or Blasphemy, [which are crimes of a different nature,] and from the eternall punishment, of the one, to deny the corporall or capitall temporall punishment of the other, as Mr. Dell doth, is a most illogical sencelesse manner of dispute, yea *transitio a genere ad genus*, exploded by the *Schools*: And thus I have routed Mr. Dells maine *Battalia*, and broken every Squadron of it quite in peeces.

I now proceed to the 5th. *Objection*, which is thus: and it is (m) Mr. Dells Object 5. 100; Christ reproveth his Disciples for discovering such a Spirit of Tyranny, as [m] Right Re- to punish men for not receiving him, Lu. 9. when the Apostles out of a (*) Prelati- formation P 29: call and Antichristian Spirit in that particular, desired fire to come downe from Heaven upon them, that would not receive him, Christ did severely re- buke them, saying, Yee know not of what Spirit ye are: not of Christs Spirit, which is meeke; but of Sathans, who was a murderer from the beginning, and of Antichrist, his first begotten in the world; and he addes, the Son of man came not to destroy mens lives but to save them: And therefore to go about to turne the Gospell, not to save mens lives, but to destroy them, and so to change Christ himselfe from a Saviour to a Destroyer, this is Antichrist triumphant. All these things shew, that worldly power *Has no place at all, in the Reformation of the Gospell*: So he most Magisterially determines, more confidently then ever the (n) Anabaptists did, to whom he is beholding for this *New-light* and Argument, who presse it with more earnestnesse, then judgement or successe.

I Answer, that Mr. Dells confidence is farre stronger then his Arguments, which in truth are weaknesse, and this Argument as weak as any, when examined, and the objected Text set right. The place quoted is Lu. 9. 51. to 57. (wherein he brands the Apostles themselves as infected with a *Prelaticall* and *Antichristian* spirit, before *Prelacy* or *Antichrist* were risen up in the world an unparalleled abuse and absurdity,) where we read *That Christ stedfastly set his face to go to Jerusalem, and thereupon sent Messengers into a Village of the Samaritans to make ready for him; (not to preach to them:)* And they refused to receive him, because his face was as though he would go to Jerusalem;

* Marke how this insolent man, blasts and censures the very Apostles themselves.

[n] See Lucas Ofiander En- chirid: Contror- cium Anabaptistis cap. 9. qu. 2 arg. 10. and qu. 4. arg. 4. Mont/orcius apud Bezam. de Hæreticis a Magistratu civili puniendis Ans.

(the Jewes being then at great enmity with the Samaritans, and having no dealings with them, John 4.9.) And when his Disciples, James and Iohn saw this, they said; Lord, wilt thou that we command fire to come downe from heaven, and consume them, even as Elias did? But he turned and rebuked them, and said; yee know not what manner of Spirit yee are of; For the Son of man is not come to destroy mens lives, but to save them. This is the full story. In which it is observable.

First, That there was here no refusing of Christs owne, nor of his Messengers Doctrine, preaching, but only of their Persons.

2ly. That this refusall was not out of any disaffection to Christ or them, as Christ, or Christs Messengers, but because they were going up to Ierusalem, which was then at enmity with the Samaritans.

3ly. That for this bare refusall to receive them only upon this ground; James and Iohn, out of a fiery rash zeale and spirit of revenge, (not a Prelaticall or Antichristian spirit, not then in being) would presently have a miracle wrought, and a miraculous punishment suddenly inflicted upon them, even to their destruction, for such a small neglect.

4ly That themselves would take upon them the power to worke this miracle, not leave the manner or honour of it to Christ (a very great presumption in them) as this clause *Lord wilt thou that we command fire to come downe from heaven to consume them?* fully intimates.

[n] 2. Kings.
19. 10. 14.

5ly. That they vouch the president of Elias (even as Elias did) whose case was no waies parellell; for the [n] Captaines and their fifties, whom he destroyed with their fifties, were sent with an expresse command from the King, to apprehend him by force, or offer violence to his person if he refused to come down, without any just cause at all; and they did it in an imperious manner. But here was no violence at all intended, nor offered to Christ or his followers, only they would not receive them, because they were bound for Ierusalem: Therefore they were justly checked by our Saviour for it.

* Causa: 23. qu.
4 fo. 45.

* De Magistratū Politic.

9 qu. 2. 4.

9 Stella, Mar-
borat and others:

6ly. They did it meereley out of private revenge; *Non zelo iustitie, sed a-
maritudinis odio, ob injuriam sua expulsionis vindicandam*, as * Gratian *
Osiander [q] *Expositors generally observe*, on the place; which is contrary
to the Scripture and concerns not the Magistrate. Turn this then into a for-
mall Argument, and it will bee only this Inconsequent.

'James and Iohn are rebuked by Christ, for that they, being his Disciples
'not Magistrates, would themselves have commanded fire to come downe from
heaven, in a miraculous way, to destroy the Samaritans, onely for not receiving
'his person as he was travelling to Ierusalem, because he was going up thither,
'and for none other cause, and that out of private malice and revenge.

'Ergo Christian Kings, Magistrates, and the Powers of the world, have
'no place at all in the Churches reformation vnder the Gospell, and may not
'parash any Heretick, Schismatick, Blasphemer, or Malefactor with death, or cor-
'porall punishments: and to do it, is to change Christ from a Saviour to a
'Destroyer, and is Antichrist Triumphant.

Was ever such a crasy Argument propounded by any man in his right senses,
before such a presence, the conclusion having not the least Coherence with the
premises.

Premises on which it is grounded? When Mr. Dell can proove; that these very Disciples then had as much power to punish Malefactors, as Majestrates; that there was the same ground for them to use miraculous corporall punishments, as for Majestrates to inflict ordinary ones upon offenders; and the same reason for these Disciples to punish the least neglect of Christs person as a Traveller only, with fire from heaven and extraordinary death, (for which there was no written Law of God at all,) as there were and are for Majestrates to punish Herisie, Idolatry, Blasphemy, obstinate Schisme, and other offences with ordinary corporall and capitall punishments, for which there are written precepts; then I shall give further answer to this objection; till then I shall forbear, and proceede to answer that which is most considerable, in this text; to wit, Christs speech to these furious Disciples. Whence the Argument stands thus.

The Sonne of man is not come to destroy mens lives but to save them Lu. 9. 56.
Ergo Christian Kings Majestrats under the Gospell must not destroy the lives of Heretickes, Blasphemers, nor yet of Traytors, Murderers, or any Malefactors whatsoever, (as well as of Heretickes, Blasphemers, &c. as the Anabaptists usually presse it) nor yet punish Hereticks or Blasphemers with any outward or corporall censures; and if they do, this is to make Christ no Saviour but a Destroyer, and is Antichrist Triumphant.

Surely Mr. Dell is an excellent Chymist, who can extract quodlibet ex quolibet, and draw any conclusion out of whatsoever premises, even by head and shoulders, as here: For first, will it follow; that because Christ himselfe in his owne person, as a Saviour, came not to destroy mens naturall lives, but to save them; Ergo the civill Christian Magistrate, who is Gods owne avenger, and is

of expressly commanded by Gods word, (e) to put Idolaters, Blasphemers, Murderers, and other Malefactors to death, is to punish no Malefactors at all with death now under the Gospell. If Mr. Dell should preach such Doctrine in our Armies, might not all our Souldiers of his New-way, by like or better Logicke conclude thus from this Text: *Christ came not to destroy mens lives but to save them*: Ergo we who are christian Souldiers, (who must imitate our [e] Capt. Jesus Christ) must now lay down our Armes, repent of all the blood we have shed, of all the Cavaliers lives wee have already destroyed, and hence forth kill no more publike Enemies, destroy no more Irish Rebels in the field, neither by way of Defence, nor Offence, because Kings & Majestrates themselves, [who have more authority then we Souldiers] cannot inflict any corporall, or capitall punishment of death, on any Malefactors (by Mr. Dells Argumentation hence) though legally convicted of capitall Crimes; especially if they fight for defence of their Religion, as the Papists and Irish Rebels pretend they doe, and Cavaliers too heretofore.) If Mr. Dell dare propole or presse no such Argument from this Text unto our Souldiers in the Campe, I wonder he durst so boldly inforce the like, with so much earnestnes, upon our Parliament and Majestrates in the Church, and present it to them in the Parliament house in print.

2dly. Will it follow hence, that because Christ used this Speech, as a Prophet, a Saviour only, not a Magistrate; Ergo he came not to punish or destroy

[e] Deut. 13.
Exod. 21. 12.
13. 14. 3 King
23. 10. to 26.
Math. 26.
52. Duce. 17. 2.
10. 14. c. 19. 12.
12. Levit. 24.
11. 10. 17.

[e] Hebr. 2. 10
2. Tim. 3. 4.

mens lives at all, as a King, when there is just cause for him to do it? How then will Mr. Dell reconcile or answer this expresse text to the contrary, in the same Evangelist? Luke 19.17. But *those mine Enemies that would not that I should raigne over them, bring them hither AND SLAY THEM BEFORE ME:* together with Psal. 89. 23. Psal. 110. 5. 6. Rev. 17. 16. 17. 18. 19. 17. 18. *Math. 21. 41.* to omit other quotations. Or how can he justify Peters extraordinary miraculous killing and destroying the Lives of *Ananias* and *Saphyra*, under the Gospell, only for lying to the Holy Ghost. Acts 5. 1. to 12? If then Christ himselfe as a King, will slay and destroy his Enemies lives when they give him just occasion, though he came to destroy no mans life, as a Saviour, may not Christian Kings and Magistrates, by like reason, kill and destroy the lives of capitall Heretickes and Malefactors in a legall manner, though Christ as a Minister or Saviour came not to destroy their lives, but save them? If so, then this grand argument is a *manne* inconsequent from this Text. Hence the Rhemists in their Annotations on the *New Testament*, have this Note on this very text. *Not justice, nor a rigorous punishment of sinners is here forbidden, nor Elias fault reprehended, nor the Church, nor Christian Princes blamed, FOR PUTTING HERETICKS TO DEATH; but that none of these should be done for desire of particular revenge, or without discretion or regard of their amendment, or example to others: Therefore Saint Peter used his power upon Ananias and Saphyra, when he struck them even to death, for defrauding the Church: which Doctor Fulke and Mr. Cartwright both approve, and reply not thereto.* 3ly. If the objected words of our Saviour, bee rightly qualified in his owne sense (farre different from that Mr. Dell would thrust upon them) the absurdity of the Argument will more visibly appeare. To cleare therefore their true meaning, I shall compare them with a like speech of his, John 12. 47. *For I came not to judge the world, but to save the world:* and Math. 18. 11. Luke 9. 10. *For the Son of man is come to seek and to save that which was lost:* From whence it is evident: First, that these words of Christ were principally meant, of destroying and saving mens lives, in a spirituall, not Naturall sense; and that for all eternity: For, to make the end of Christs coming only to save mens lives from temporall destruction, and preserve men from temporall death by the hand of humane Justice, especially when they offend, (as Mr. Dell interprets it) is infinitely to derogate from the prime end of his coming; the rather, because Christ saved only a few diseased persons lives, (not any Malefactors, no not the penitent Theefes crucified with him) from temporall death, but saved all his Elect from eternall death and destruction. 2ly. They must be thus understood, that the principall end of Christs coming, was not to destroy mens lives with temporall or spirituall destruction, but to save them; or at least, not to destroy them without just grounds, or not in any extraordinary manner, with fire from Heaven, or upon so slight an occasion as the Apostles would have him here: but not his only end; For Christ himselfe is a Rock of offence, a stumbling block, yea a savour of death unto death, unto many, and will grind some unto powder. 1. Pet. 2. 7. 8. 2. Corin. 2. 15. 16. Lu. 2. 34. Math. 21. 44. yea, the very Angell of the Lord smote Herod, that he was eaten up of Wormes, and gave up the Ghost: Acts 12. 23. And Christ

NOTE.

Christ by Peter's ministry smote Ananias and Sapphira with temporal death, Acts 5. 1. to 10. Since then this Text is to be understood in these senses; and like that of Paul, 1 Cor. 11. For Christ sent me NOT to baptize (that is, not simply not to baptize any, for that he did; 2. 14, 15, 16. but chiefly and principally) but to preach the Gospel (which is my principall and main business;) it will no wayes warrant Mr Dell's Anabaptistickall sense of, or conclusion from it: to wit, that Christ came so to save mens lives as that he exempts the lives and persons even of Hereticks, Blasphemers, yea all malefactors from the power of Kings and Christian Magistrates, so as they may not justly put them to death for any offences, though most capitall. Finally, admit that Christ came to preserve the naturall lives of Hereticks, Schismatics, Blasphemers, and the grossest malefactors from the sword of justice, and the Christian Magistrates power; yet this extends not to secure them from imprisonments, fines, banishments, and such other corporall punishments which are not capitall, as Mr Dell here infers. Therefore it no wayes warrants his conclusion against all corporall and outward punishments. And so I have scattered this Brigade of his for ever rallying again.

The 6 Objection is this, (9) made by Mr Dell and others. God hath appointed his Word and the Ministry of it, to be the instruments of converting men and stopping the mouths of gainsayers, Tit. 1. 9. 11. for the casting down of imaginations; and every high thing that exalts it self against the knowledge of Christ, and for bringing every thought into captivity, and into obedience to Christ, 2 Cor. 10. 5. Yea, God hath appointed the Ministers, in meekness to instruct those that oppose themselves, if God peradventure will give them repentance to the acknowledgement of the truth, 2 Tim. 2. 24. 25. and to edifie the body of Christ, till they all come in the unity of the Spirit unto a perfect man, unto the measure and stature of the fulnesse of Christ, Ephes. 4. 11. 12. Yea Christ (addes Mr Dell) doth ALL THAT EVER HE DOETH in his Kingdome by his Word: and Christ sent forth his Apostles not with any power of swords or guns, or prisons, to reform the world, or with any power of States or Armies; but sent forth poor illiterate mechanick men, and only armed them with the power of the Word, and behold what wonders they wrought by that power alone. They turned the world up-side down; they changed the manners, customs, religions, worship, lives, and natures of men, &c. And all this they did not with any earthly or secular power, but by the ministry of the Gospel alone, Christs great and only instrument for the conquering, subduing and reforming of the Nations. By it, and his Spirit, he reforms not only all sinnes in the Church, but Heresies, Errors and False doctrines (which it seemes he counts no sins, because not included in the former general ALL SINNES.) Ergo, Heresies, False religions, Sects, and Schismes, ought to be tolerated by the Magistrate, and reformed only by the Word, but not suppressed and punished by a strong hand, as by fining, imprisoning, disfranchising, banishment, death, or the like; which being outward, cannot reach to reform or convert the inner-man, which is beyond not only the power, but cognisance of the Secular powers. This was the Donatists and Anabaptists objection of old, from whom Mr Dell hath borrowed it.

Obj. 6.
[9] A Reply
of Two of the
Brethren to A.
S. p. 56. 57. 58.
Mr. Dells
Right Reformation p. 14.
15. 16. 19. 20.

* See August
lib: 2. Cont
Liber: Petili
ni: & Lucas
Ofiander de
Magistratu ci
vili: c. 9. qu
2. 4.

To this I answer, 1. that though the word and Ministry of it, be the principall meanes of converting, reforming and convincing Hereticks, Blasphemers, Errors, Schismes, as is objected; yet it no wayes justles out or destroyes the coercive power, the corporall and capitall punishments of the Christian Magistrate for suppressing Heresies, Errors, Schismes, Blasphemies, and punishing those who are guilty of them under the Gospel; no more then it did their suppressing and punishing of Idolatry and Blasphemy under the Law with temporall death and censures, as I have formerly proved. To make this apparent, I shall lay down these Positions.

First, that the greatest part of such who professe themselves Christians, and converted to the outward embracing and profession of the Gospel, are yet not really nor inwardly converted to the saving obedience and practise of it.

Secondly, that inward embracing or outward profession of the Gospel, doth not exempt Christians either from the (r) power or punishment of the Magistrate for any evill deeds, nor from committing such crimes or evill actions as may deserve the Magistrates censure, and fall under his coercive and avenging power, as is clear by *Rom. 13. 1. to 7. 1* *Pet. 2. 13. 14. Tit. 3. 1.*

Thirdly, that obstinate Hereticks, false Teachers, Blasphemers, Schismatics, are *evill doers*; and Heresie, Blasphemy, Errors, Schismes, (* *meer Works of the flesh*), are under the proper jurisdiction and subject to the censures and coercive power of the Magistrate, as well as other malefactors, and carnall crimes.

Fourthly, that conversion of Infidels and Pagans to christianity, and the reclaiming of Hereticks, Schismatics, Blasphemers, Idolaters, Seducers, or other Malefactors from their evill wayes, is one thing; usually wrought by one kinde of instrument, to wit, the [u] Word and ministry of it; and the punishing, suppressing, restraining of such as these, from the public practise or venting of their Heresies, Errors, Schismes, Blasphemies, Idolatries, or other crimes, to the provoking of Gods wrath, the hurt, infection, disturbance of others, a quite other thing, wrought by different meanes and instruments; to wit, by the civill Magistrates Sword and corporall censures. To argue then as the Objectors doe, That the word and Ministry of it, are the visuall and principal meanes appointed by Christ inwardly to convert men from Paganisme, Heresie, Idolatry, Error, Schisme, unto the orthodox truth and to inward piety and Sincerity. *Ergo* the Magistrate may not punish nor suppress these crimes, sinnes, to hinder their outward spreading, infecting of others, or to prevent or remove Gods judgements, or preserve the peace of Church, State, is a most grosse *Non sequitur*, since both of them are co-ordinate and consistent together, not jussling out one another.

2ly. I answer, That the Apostles were no Magistrates, but Preachers; nor yet *illiterate mechanicks*, as Mr. Dell scandalously terms them; but endued with the extraordinary (x) gift of all Tongues, and infallibly (y) guided into all truth by the Spirit, & that to * convert Pagan Nations to Christ, not to inflict corporall or capitall punishments on them for their Idolatries, Heresies or other crimes. Therefore Christ sent them out armed [z] only with his Word and Spirit, not with the power of swords, gunnes, Prisons, or any power

[r] This he seemingly graunts. p. 27. 40. & in his Epistle Dedicatory.

[f] *Rom. 13. 4. c. 16. 17. 18. 2. Pet. 2. 1. 2. Phil. 3. 2.*

[t] *Gal. 5. 19. 20.*

* *Gal. 5. 19. 20. 21. 2. Pet. 2. 1. &c. Rom. 16. 17. 18.*

[u] *Acts 26. 17. 18.* See Mr. Rutherfords Right of Presbyteries. p. 353. 354. 362. 363.

[z] *Acts 2. 1. 12.*

[y] *Iohn. 16. 13.* * *Acts 26. 17. 18.*

[x] *Math. 28. 19. 20. Mar. 16. 15. 16.*

power of States or Armies; who were then all [a] Jewish or Heathenish & professed Enemies to Christ: Wherefore, to argue from this practice, or nonfance of the Apostles, the unlawfulness of the Magistrates coercive power, or of corporall or capitall punishments to suppress obstinate Hereticks, False Teachers, Blasphemers, Schismatics, Idolaters, is a strange absurdity; and they may as well inferre from hence, that Magistrate may neither restrain nor punish Traytors, Murderers, Theeves, Rebels, because the Word is as able, as powerfull, as apt by Gods own institution, to reforme, & reclaime all kinde of sinners; and Malefactors, as Hereticks, Blasphemers, Schismatics, false Teachers or Idolaters.

[a] Psal. 2. & Actr 4. 25 to 31.

gly. If Christ did not send out his Apostles armed with any power of swords, Gunnes, States or Armies to convert and reforme the world, but did it by the word alone: then what warrant have any of Mr. Dells new anoynted Prophets, or any * Reformado Captaines or Souldiers of his way, (contrary to an expresse Ordinance of both houses) to go preaching, reforming or rather deforming, disturbing and rushing every where, into our Pulpits, with their Swords, Pistolls, Gunnes, Troopes, Troopers, to convert and reforme men, to stile themselves not only the Reformed, but reforming Souldiers too, as usually they doe? Certainly if Mr. Dells objection be true, they have in this much transgressed against the Gospell, and Christs institution of late, and must hence forth cease to be such Preachers and Reformers, or else lay downe their Armes before they may or can be such. The rather, because (b) Mr. Dell himselfe tells the Parliament from that speech of Nathan to David: Thou shalt not build an House unto my name, for thou hast beene a man of Warre, and hast shed much blood, &c. So I say unto you touching this worke of Reformation: You did well in that it was in your hearts to reforme the Kingdome of God, and the spirituall Church, which is Christs owne deare body: Neverthelesse, you shall not reforme it, for you have beene men of Warre; that is, you have managed a great and mighty Warre, against great and mighty Enemies, and have shed much blood. Therefore you shall not do this work having beene men of Warre, For this is not a worke of men of Warre, but of the Prince of Peace &c.

* See Mr. Edwards Gangraes.

[b] Page 13. 14.

If this be the truth of God, and mind of Jesus Christ (as Mr. Dell asserts it) I hope it will both informe and reforme, [d] our preaching reforming Souldiers, and men of Warre, who have beene formerly peccant against this Doctrine, and a speciall Ordinance of both Houses, since they have beene actually, but the Parliament only Virtually, engaged in this present bloody Warre. And so much the rather, because we read in Scripture Luke. 3. 14. That when the Souldiers came to Iohn the Baptist, and demanded of him, what shall wee doe? He said unto them. Do violence to no man, neither accuse any falsely: and be content with your wages. He bid them not, goe and preach the Gospell: this was a proper worke for Ministers, and Apostles, not for Swordmen: So Acts 10. 12. We read of Cornelius a Centurion of the Italian band, a devout man, and one that feared God with all his house, that he gave much Almes to

[d] Epistle Dedicatory.

the people, and prayed to God alwayes; but yet we never finde that he publicly preached: yea, he was so farre from this, that the *Angell of God* appearing to him, commanded him to send to Ioppa and call for Symon Peter: and he shall tell thee what thou oughtest to doe: whereupon he called two of his Servants and a devout Souldier; (yet no preacher that we read of, no not in nor to his owne Family, Regiment or Troope,) and sent them to Ioppa for Peter: who comming unto his house, he found many that were come together; who were all there present before God, (not to preach but) to HEARE all things that were commanded him of God: Whereupon he opened his mouth and preached to them; and whiles he spake the Holy Ghost fell upon all them that heard the word, so that they spake with Tongues and magnified God; whereupon they were all Baptised in the name of the Lord. If these devout Souldiers then, were only Auditors, but no preachers in the Apostles dayes, it were well those Souldiers, who now pretend to reduce all things to the Modell of thole primitive times, would be so modest and Christianly wise, as to imitate *Cornelius* his example, who was as devout, as charitable, as frequent in prayer, and one that feared God with all his house as much, as any of our preaching *Centurions* or *Souldiers* now; and not usurpe the Ministers office, no more then the Magistrates or their superior Commanders; which they may doe with as much reason; being sent forth and hired by the Parliament, not to preach the Gospell, but to fight. However, Gods speech to *David*, and Mr. *Dells* strang application of it to the Parliament, must no wayes hinder the Parliament or our Magistrates from drawing out the rusty Sword of Iustice against all *Heresies, Errors, Schismes, Blasphemies*, which they are to punish, suppress, or at least endeavour to reforme by outward punishments and coercive Lawes.

4ly. Whereas it is mainly insisted on, that outward punishments can no wayes reach, nor reforme the inward man, and that the word is the only instrument which must do it: I dare boldly averre, and shall evidently approve it, to be a most false & dangerous position, directly contrary to the minde & word of God. For first of all, not to argue, that as the very body and outward man infect the created soule infused into it, not only with [e] originall and actual sinne; [being free from both when first infused] and therefore by like reason may be a meanes of its reformation and repentance: And as the soul and inward man are by the Eyes and Eares [*] oft times infected with sinne Lust, and likewise instructed, converted many times by those sensible objects which it heares and sees; the [e]: yes and eares affecting the hear. So likewise it may be affected, reformed by the sence of paines or punishments inflicted on the outward man, by the Magistrate; I answer 2dly, that if Mr. *Dells* assertion were true, then all the outward afflictions which God send upon particular Persons, Places, Nations, of purpose to reforme and bring them to Repentance, should be altogether uselesse, fruitlesse to reforme and convert the inward man; yea God him selfe should be over-seene (by Mr. *Dells* Divinity) in inflicting them for this very end, which they cannot possibly effect wherea

[e] *Mat* 51. 5*Gen* 6. 5.* *Gen* 3. 6.*Ioth* 7. 21.*Math* 5. 28. 2.*Pet* 2. 14.1 *Cor* 15. 33.[e] *Lam* 3. 51.*Lu* 23. 48.*Iohn* 2. 23.2. *Kings* 18. 39.

whereas the Scripture is expresse, that outward corporall afflictions worke inward reformation, conversion, by Gods sanctifying of them to that use; this being one maine end why God inflicts them, and that these oft times worke outward, nay inward reformation too, when the word and other Ordinantes will not prevaile. Witnesse Psal. 119. 67. 71. 75. *Before I was afflicted I went a stray; but now have I kept thy word.* It is good for me that I have beene afflicted, that I might learne thy Statutes; and in thy faithfullnesse thou hast afflicted me. Gods Rod reformed David, when his word would not prevaile. Hence is that of Dan. 11. 33. 35. *And some of them of understanding shall fall by the sword, and by flame, and captivity, and by spoyle many dayes to try and to make them white:* Isay 27. 7. 29. *Hath he smitten them, as he smote those that smote them? &c.* By this therefore shall the Iniquity of Iacob be purged, and this is all the fruit, To take away his Sinnes: 1. Cor. 11. 32. *When we are chastened of the Lord, it is, that we should not be condemned with the world.* Hebr. 12. 5. to 12. *My sonne despise not the chastisement of the Lord, nor faint when thou art rebuked of him: for whom the Lord loveth hee chastiseth, and scourgeth every Sonne whom he receiveth. If yee endure chastising: God dealeth with you as with Sonnes, for what Sonne is he whom the Father chasteneth not? But if yee be without chastisement, whereof all are partakers, then are ye Bastards and not Sonnes: Furthermore wee have had the Fathers of our flesh, which corrected us, and we gave them reverence; shall we not much more be in subjection to the Father of Spirits and live? For they verily for a few dayes chastened us after their owne pleasure, but he For our profit, that wee might Be made partakers of his Holinesse. Now no chastisement for the present seemeth to be joyous, but greivous: nevertheless afterward it yeeldeth the peaceable fruit of righteousness, unto them that are exercised thereby.* That outward corporall afflictions worke inward conversion and Reformation, appeares most eminently in the example of King Manasse, who though he had the instructions of a godly Father, of religious Tutors and Prophets to reclaime him, ran into all excesse of wickednesse; and became a Monster of impiety, yet when these and other meanes would not reforme, nor convert him, his captivity and fetters did it, as is expressely recorded of him. 2 Chron. 33. 12. to 18. *And when he was in affliction he besought the Lord his God, and humbled himselfe greatly before the Lord God of his Fathers, and prayed unto him, and he was intreated of him, and heard his supplication, and brought him againe into his Kingdome: And then he tooke away the strange Gods, and the Idols out of the House of the Lord, and all the Altars that he had built, and repaired the Altar of the Lord, and sacrificed thereon peace offerings, and burnt offerings, and commanded Iudah to serve the Lord God of Israel.* So that his affliction wrought an inward and outward reformation upon him, and set him on worke to make a generall Reformation in his Kingdome. So Neh. 9. 36 37. 38. *Behold we are servants at this day, &c. and we are in great distresse: And because of all this we make a sure Covenant and writ it; and our Princes, Levites and Priests scale unto*

[f] Dan. 4. 28.
to the end,

[g] Acts. 9. 1.
to 23. c. 22. 4
to 21 c. 26. 12.
to 21.

[h] Augustinus
Vincentio
Donatistæ;
Epist. 48 and
Gratian Cau-
sa 23 qu. 4.

it. Their present afflictions then made them enter into a solemne Covenant for an inward and outward, a personall and Nationall reformation. Thus we read, that proud *Nebuchadnezzars* dethroning from his Kingdome, and driving out to eat Grasse with the very beasts; was the meanes of his humiliation, conversion and of bringing him not only to the knowledge of himselfe but of the true God, and to blesse, praise, and honour him who liveth for ever, and to exalt and honour the King of heaven, all whose workes are truth, and his wayes judgement; and to acknowledge, that those that walke in pride he is able to abase, even by his punishments, when no meanes else will prevaile. Thus our Saviour Christ himselfe, by a certaine kinde of externall violence and force, when other meanes were ineffectuall, converted Paul in the midst of his persecutions of him and his Members; (g) A light stone round about him from Heaven, which made him fall downe to the ground; and he heard a terrible voyce from Heaven; saying, Saul, Saul, why persecutest thou me? I am Iesus, whom thou persecutest: which struck him into a fit of trembling and astonishment, for the present, and made him cry out, Lord what wilt thou have me to doe? After this he was three dayes without sight, and neither did eat nor drinke. And by this way of terror and violence, not by preaching Peace and the Gospell, did Christ himselfe convert him: whence (h) Augustine writes thus to Vincentius the Donatist. *Putas neminem debere cogi ad justitiam, cum legas Patrem familias dixisse servis, Quoscunque cogite intrare? cum legas et ipsum Saulum, postea Paulum, ad veritatem cognoscendam et tuendam magna violentia Christi cogentis esse compulsam, &c.* By these examples it is evident, that Gods and Christs rods, yea, judgements convert men, as well as their word, or Gospell of Peace: And that they do so indeed, is clearely resolved by this expresse text: *Isay 26. 9. to 18. Yea, in the way of thy judgements, O Lord, have we waited for thee, the desire of our Soule is to thy name, & to the remembrance of thee: with my soule have I desired thee in the night, yea with my spirit within me, wil I seek thee earely: FOR when thy IUDGEMENTS are in the earth, the Inhabitants of the world will learne righteousness. Let favour be shewed to the wicked, yet will he not learne righteousness, in the land of uprightness he will deale unjustly; and will not behold the Majesty of the Lord. &c. Lord, in trouble have they visited thee, they powred out a prayer when thy chastisement was upon them. Gods judgements will teach even wicked men righteousness, and make them pray and seeke to him earnestly, yea earely with their soules, spirits; when his favours and ordinances will not doe it. From all these texts, as likewise from *Exod. 2. 23. 24. 25. Judges. c. 3 & 4. & 6. 2 Chron. 6. 26. to 32. Hos. 5. 15. Isay 48. 10. 11. Zeph. 3. 12. Iam. 5. 13. 2 Cor. 4. 17. Ionah. 3. 4. 5.* with sundry others, it is apparent. That outward judgements and afflictions sent upon persons or Nations, do work a real change & reformation in the inward man, as wel as the word, and that God doth send and appoint afflictions [having a preaching, a reforming voyce in them, as well as his Word, *Mic. 6. 9.*] for this very end and purpose upon men, to reforme them; as all Divines accord in their writings &*

Sermons

Sermons of Afflictions. 3dly. As outward afflictions sent by God, so outward punishments and chastisements inflicted by men, Parents, Masters, Magistrates, (as his Ministers) do the like. This is cleare by Prov. 23.13.14. *withhold not correction from the Child, for if thou beatest him with the Rod, hee shall not die; Thou shalt beat him with the Rod, and shalt deliver his soule from Hell,* Pro. 22.15. *Foolishnesse is bound up in the heart of a Child, but the Rod of correction shall drive it farre from him,* Prov. 29.15.17. *The Rod & reproofe give wisdom, but a Child left to himselfe bringeth his Mother to shame. Correct thy Sonne, and he shall give thee rest, yea he shall give delight unto thy soule,* Prov. 20.30. *The blewnesse of a wound is a purging medicine against evill, (or clenseth away evils) so do stripes the inward parts of the Belly.* By all which it is evident, that the outward correction of Parents (who are natural Magistrates) inflicted on their children, or of Masters on their Schollers and Servants, is an ordinance of God himselfe, not only morall, but really to clense and reforme the inward man, yea to save mens soules from Hell, and make them truly gracious: And experience manifests, that the severe and due corrections of Parents on their Children: Tutors on their Schollers, Masters on their Servants, have beene a meanes, not only of their morall reformation, but inward repentance and reall conversion, being appointed, sanctified for this very end by God himselfe. As the corporall punishments or corrections of these naturall Magistrates, so likewise of the civill, are designed and blessed oft times by God, to worke, not only a morall but Spirituall Reformation in mens soules and inward Man, when other meanes are ineffectuall. Whence was that notable sentence of * *Tertulian* about 200. yeares after Christ, hereafter cited. *Ad officium Deteticos compelli, non in lici dignum est.* Experience informes us, * that the Godly exhortations, Reprehensions of Judges in their Charges and Sentences of condemnation passed upon open Malefactors, seconded with their corporall and capitall punishments, have not only *morally*, but *really* reformed, converted thousands unto God, whom the word would not convert: and lesser legall punishments of whipping, Stocks, Bridewell, burning in the hand, &c. have reformed and saved thousands from the Gallows, yea many soules from Hell it selfe, being prescribed by our Lawes of purpose to prevent greater punishments and reforme the parties punished. We read, that one of the *Theeves* crucified with our Saviour, was converted on the Crosse, his very crucifixion, being the meanes and cause of his conversion, as [s] *Divines* observe, and his owne words import Lu. 23.29. to 44. *One of the Malefactors which were hanged, rayled on him saying, if thou be Christ save thy selfe and us. But the other answering rebuked him saying, Dost not thou feare God, seeing thou art in the same condemnation? And wee indeed Justly, for we receive the Reward of our deeds, but this man hath done nothing amisse. And he said unto Iesus, Lord, remember me when thou comest into thy Kingdome: His passion wrought in him both a confession of, and contrition for the crimes for which he suffered, with an invocation upon Christ for mercy and salvation, which he then obtained: Christ hereupon said unto him: Verily I said unto*

* *Scorpiarium*,
adu: *Gnosticos*.
* *Quod non*
pravalet Sa-
cerdos efficere
per Doctrina
sermonem, pe-
estas regia hoc
imperat per
disciplina te-
rorem, Concil.
Parisiense sub
Ludovico Pio.
Concil. Tom. 3.
[s] *Augustin:*
Contra Cres-
conium Gram.
1.2.c.9. Doctor
willet Sixfold
Commentary on
Rom. 13.
Quest. 11. p.
587.

[k] *Et die, ex* thee [k] *to day shalt thou be with me in Paradise.* [l] *St. Chrysostome,* [m] *Auguſtine,* [n] *Leo,* [o] *Gratian,* [p] *Peter Martyr, Aretius Problematum Lo-*
ret ad immor- *cus 59. de Schismatibus.* [q] *Sibeliuſ, and* [r] *Lucas Oſiander,* *aſſure uſ, upon*
taſe fidei prae- *their experiences; that many Hereticks and Malefactoſ have bene. reſor-*
mium, in quo *med, converted from their Hereſies and evil courſes even by their corporall &*
exceptat mor- *Capitall puniſhments, and that the Magiſtrates ſentence of death againſt, and*
tis pro iniqui- *admonitione to them to prepare themſelves for death. have made many Ma-*
tate ſupple- *leſaſtoſ to depart out of this life more bleſſed, then if the Magiſtrate had re-*
um Auguſtin: *leaſed them, as themſelves oft times have ingeniouſly confeſſed, and there-*
Cont Creſcon. *upon given God thankes, quod ad ſupplicium pertracti, beate mori dedicerint,*
Gram. l. 2. c. 9. *that by being drawne forth publiſely to puniſhment, they have learned to die*
[i] *In Roma-* *happily, and to fit themſelves for a bleſſed departure, Which elſe they would*
nos. c. 13. *never have done. Yea, this experience made* [f] *St. Auguſtine to retract his*
[m] *Contr* *fiſt opinion, that Hereticks were not to be puniſhed corporally by the Magi-*
Creſconium *ſtrate, and to aſſert the contrary, becauſe he ſaw their puniſhment proved an*
Gram. l. 2. c. 8. 9 *experimentall meanes of the reformation, conversion of many whole Cities, Fa-*
Contra Lit. *milies, as well as privat perſons infected with Hereſie, Scisme, & Donatiſme.*
Petili. ni. l. 2. *Whence thus he writes. Sed Donatiſta nimium inquieti ſunt, quos per Ordina-*
Epift. 48. *as a Deo poteſtates cohiberi atque corrigi, mihi non videtur inutile. Nam*
[u] *Epift. 39,* *de MVLTORVM jam correctione gaudemus, qui tam veraciter unitatem ca-*
[o] *Cauſa. 23.* *tholicam tenent, atque defendunt, & a priſtino errore ſe liberatos eſſe latan-*
proem & qu. 4. *tur, ut eos cum magna gratulatione miremur. Qui tamen nescio qua viconſue-*
[p] *Coment.* *tudinis nullo modo mutari in melius cogitarent, niſi hoc terrore perculſi ſoli-*
in Roman 13. *citam mentem ad conſiderationem veritatis intenderent, ne forte non pro ju-*
5. *ſtitia, ſed pro perversitate et preſumptione hominum ipſas temporales mole-*
[q] *Coment* *ſtias, infructuoſa et vana tolerantia paterentur, & apud Deum poſtea non in-*
in Epift Iudæ *venirent niſi debitas penas impiorum, qui ejus tam lenem admonitionem, &*
vers: 23 *paterna flagella contempſerint: Ac ſic iſta cogitatione dociles facti, non in*
[r] *Enchirid.* *calumnijs et fabulis humanis ſed in divinis libris promiſſam per omnes gen-*
Contr. Cum. *tes invenirent Eccleſiam, quam ſuis oculis reddi conſpicerent, in quibus et*
Anabapt. c. 9 qu *Chriſtum prenuntiatum, etiam non viſum, ſuper calos eſſe minime dubita-*
4. P. 281. *rent, &. Cur ergo non ab omnibus pax amatur? Hec facillime cogitare poſ-*
[s] *Epift 48.* *ſetis, aut fortasſe etiam cogitatis. Sed melius erat ut amaretis poſſeſſiones ter-*
& 58. *Retrac-* *renas, quas timendo perdere cognita veritati conſentiretis, quam ut amaretis*
ration. lib 5. c. 2 *vaniſſimam hominum gloriam, quam vos putatis perdere ſi cognita veritati*
Aretius Prob. *conſenſeritis. Vides itaque jam (ut opinor) non eſſe conſiderandum quod*
lem: Locus 55. *quiſque cogitur ſed quale ſit illud quo cogitur, utrum bonum an malum: non*
Peter Martyr *quo quiſque bonus poſſit eſſe invitus ſed timendo quod non vult pati, vel re-*
Coment in *linquit impediens animoſitatem, vel ignorans compelliſur cognoscere*
Rom. 13. *veritatem, et timens vel reſpuat falſum de quo contendebat, vel quærat ve-*
Bellarmin de *rum quod nesciebat, & volens teneat jam quod volebat. Superfluo hoc for-*
Laicis. c. 21. *taſſe diceretur quibuſlibet verbis, ſi non tam MVLTIſ oſtenderetur EX-*
EMPLIſ. Non illos aut illos homines, ſed MVLTIſ CIVITATES
videmus fuiſſe Donatiſtas, nunc eſſe Catholicas, deteſtari vehementer Dia-
bolicam ſeperationem, diligere ardentem unitatem. Quæ tamen timoris hujus
qui

qui tibi displicet, occasionibus, Catholica facta sunt perleges Imperatorum a Constantino, apud quem primum vestri ultro Cæcilianum accusaverunt, usque ad presentes Imperatores, qui iudicium illius quem vestri elegerunt, quem iudicibus Episcopis præstulerunt, iustissime contra vos custodiendum esse decernunt. His ergo exemplis a collegis meis mihi propositis, cessi, &c. Therefore I am of [c] Osianders & * Mr Calvins minde, that none do plead against the Magistrates coercive power and sword of justice, but such who out of a consciousness of their own Heresies, Errors, Schismes, or misdeeds, are in danger and afraid of suffering by it; and therefore would wrest the sword out of the Christian Magistrates hand, that they might persevere in their Heresies, Errors, Schismes, Blasphemies, and offences, without any punishment or remorse. Adde to this, that if the Apostle by Christs direction commands men to be [u] delivered over to Satan himself to afflict and torment them, for the destruction of the flesh, that their spirits may be saved in the day of the Lord Iesus, and that they might learn not to blaspheme; when the very Gospel and other means would not reform them. Then certainly, Gods delivery over of an Heretick, Schismatick, Blasphemer, or other malefactor to the hand of the christian Magistrate, and his transferring him after sentence to the hands of the Executioner to be punished according to Gods command, may, and oft-times doth by the self-same reason, effectually tend, not only to the destruction of his flesh, but to the saving of his soul in the day of the Lord Iesus, and present reformation of his Heresies, Blasphemies, Errors, crimes, as well as his delivery over unto Satan, the very worst and vilest of all Gods instruments, as [x] Augustine and Gratian thence conclude: which is largely proved in Gratian, *Causa 23. qu. 45.* by many authorities of the Antients: by Hugo Grotius, *de Iure belli & pacis*, l. 2. cap. 20. *de pænis*, by Alexander ab Alexandro, *Genialium Dierum*, l. 3. c. 5. and by most Commentators on *Dent. 13.* and *Rom. 13.* And as punishments oft work a reformation in the persons punished, so likewise upon others who behold or hear of them, as the forenamed Authors assert. Hence was that speech of [y] Philo Iudeus, *Pæna sepe corrigit et emendat eum qui peccavit, quod si id non eveniat, certe alios quorum ad notitiam pervenit: multos enim meliores faciunt aliena supplicia parvis mali formidine.* And that excellent saying of Seneca, [z] *In vindicandis injuriis hac tria lex secuta est, quæ Princeps quoque sequi debet: ut aut eum quem punit emendet, ut aut pæna ejus ceteros meliores reddat, aut ut sublati malis, securiores ceteri vivant:* who seconds it elsewhere thus. *Omne pæna genus remedii loco admoneo: varia in tot animis vitia video, & civitati curanda adhibitus sum; pro cuiusque morbo medicina quaratur. Hunc sanat verecundia, hunc dolor, hunc egestas, hunc perigrinatio:* And if men become incorrigible; that neither obprobrium, nor infamy, nor pain, nor publick imprisonment, nor banishment will reform them, then saith he in such a case, *Optimum misericordia genus est occidere,* it is the best kinde of mercy to put such an one to death: and he gives his advice to the Magistrate to observe this double use of punishments, *ut sciat alterum adhiberi ut emendet malos, alterum ut tollat;* one to reforme evill

[c] Enchirid.
Cenr. Cum.
Anabaptistis: c.
9: qu. 4 p. 214.
[*] Prælectiones in Dan. c.

[v] 1. Cor. 5.
5. 1. Tim. 1. 20.

[z] Augustinus Epist. 48.
Vincentio Donatistæ (apud Gratianum.
Causa: 23. qu.
4) Contr. Lit.
Petilian l. 2. c. 9.
Epist. 56.
[y] De Legatione ad Caium
[z] De Clementia l. 1. c.
22.
[a] De Ira lib. 1.

men.

[a] Chyffostome, Theophylact, Haymo, Lyra. Paræus, Peter Martyr, Soto and Willoc. on Rom. 13. See Babingtons Notes on Exod: 18. & Num: 15. Grotius de Jure Belli & Pacis l.2 c.20 de Pænis. Alexander ab Alexandro. Genali-um Dierum. l. 3. c. 5. Tert: ad Martires. lib. [b] Math. 5. 10. 11. 12. 1. Pet. 3. 14. c. 2. 20 c. 4. 12. 10. 17. 2. Cor. 4. 4. 17. 18. [c] Deutr. 13. 11. c. 17. 13. [d] Deut. 13. 3. c. 17. 7. Psal. 106. 30 Num. 15. 7. & c. [e] Exod: 32 Deutr. 5. 2. 7. & 30 & 31. & 32. & 33. [f] Josh: 7. & 23. & 24. [g] 1. Chron. c. 28. & 29. [h] 2. Chron. 31 & 32. [i] 2. Chron: 15. [k] 2. Chron: 18. 19. & 20. [l] 2. Chron: 34. & 35. [m] Neh: 9. & 13. [n] Eusebius de Vita Constantini & Oratio ad Sanctorum coetum.

men, another to cut them off, when they will not be reformed themselves, that others may be reformed and amended by their example. Now that exemplary punishments as they oft times reforme the parties themselves, do likewise amend and convert others who are spectators or hearers of them, is evident by Deut. 13. 11. & 17. 12, 13. *And all Israel shall hear and fear, and shall do NO MORE any such wickednesse as this is, among them. And all the people shall hear, and fear, and do no more presumptuously*; even by reason of the exemplary justice and corporall punishments inflicted on others. Upon this very ground, Rom. 13. 1, 2, 4. The Magistrate, is called *Gods ordinance, and the Minister of God to thee FOR GOOD*, (as well *morall and spirituall, as naturall and civill good*) even as he is a revenger to execute wrath on those that doe evill: as [a] sundry Commentators observe: And that in these respects. First, if he inflict corporall or capitall punishments on thee for thy own evill doings, he is a *Minister to thee for thy good*, in bringing thee by this means to an open sight, repentance, loathing, and forsaking of those sins for the future, which have brought judgement, shame, and open punishment on thee for the present: Whereas, if the Magistrate had not punished thee, thou wouldest have persevered impenitently in these sinnes: And if he punish thee wrongfully (as ungodly Persecutors did the Martyrs) yet he is an instrument for thy good, by encreasing thy graces, *Weaning thee from the world, and honouring thee with the [b] Crowne of Martyrdome*, which else thou hadst not obtained. Secondly, he is a *Minister of God for thy good*, by inflicting punishments upon thee for the profit and good of others, or on others for thy good, whose exemplary punishments God doth or may sanctifie to [c] make thee *forbear the selfesame or the like offences*, to avoid the like infamous punishments. Thirdly, he is an *instrument of God for thy good*, in [d] *keeping off and removing Gods publick judgements from the kingdome and place wherein thou livest*, by punishing those open scandalous sinnes and sinners, which would bring destruction and Gods wrath upon thee and them. Fourthly, By his godly *exhortations, reprehensions to them and others*, like those of [e] *Moses*, [f] *Ioshua*, [g] *David*, [h] *Hezekiah*, [i] *Asa*, [k] *Iehosaphat*, [l] *Iosiah*, [m] *Nehemiah*, [n] *Constantine the great*, and others, to their people, which seconded with their corrections, may, and doe no doubt, reforme and convert many, as well as the ministry of the Word. Therefore in these respects, it is most clear and undeniable, that Magistrates outward and corporall punishments do both much reform and convert the inner man, soul, spirit, even morally and divinely too, as well as the outward, and stop the current of mens sins. So as Mr Dels bold assertion to the contrary, is most false and dangerous, contradicted by Scripture, the testimony and experience of all times, ages, and (if we may believe his fellow Chaplain Mr Peters) by some late experiments in the Army it self, where many Soldiers by severe martiall discipline, and censures at the Council of War, have been not only outwardly reformed, but inwardly converted. And therefore I shall adjure him to recant this wicked Paradox, or else make it good by better proofs then any he hath yet produced, his own bare averment onely being no infallible Oracle, nor of weight enough to overpoise all the pre-
The

The seventh Objection (much pressed and insisted on) is this; *External coercion, and the Magistrates coercive power to suppress Schismes, Heresies, &c. is of proper and direct tendency to make men twofold more the children of sinne (and so of wrath) then they were before; in making men direct Hypocrites and Dissinulators before God, contrary to their consciences, and not Saints; and leaves the heart as it was, which cannot be forced with outward power, but by the inward efficacy of the truth: now the hearts of men being corrupt, what are all outward duties they are forced to, but so much hypocrisie? So that forceable reformation is none of Christs reformation; it makes all Hypocrites and Guilded Sepulchers, but none Saints, putting a forme of godlinesse upon the outward man, when as there is no power of godlinesse in the inward man: Call you this a Reformation of the Church of Christ? Therefore no such coercive power is to be used, nor no corporall or capitall punishments inflicted on Hereticks, Schismatics, &c. in the Church of Christ. This is an Argument, learned by Master Dell from the Anabaptists; from Master Robinsons Justification of Separation, p. 222, 224. and from Gregory de Valentia, Tom. 3. Disp. 1. punc. 6. qu. 10. de Infidelitate, Arg. 4.*

I answer, First, That this Objection is a meer Chymera, forged in the brains of the Objectors to affront the Scripture and Magistracy it selfe, having not the least colour in it from the Word; and may be objected against all Gods Ordinances, as well as the Magistrates coercive power. For first, it might be objected against the *Morall Law* it selfe, and all the Texts of Scripture, which enioyne or threaten the infliction of any temporal or external punishments upon any kind of sinners; for all these do oft make men Hypocrites, they make them forbear onely the outward acts of sin for feare of punishment, but neither abate nor kill the power and life of sin in their hearts for the most part; they force men to outward duties, and to an outward forme of godlinesse, without the inward power: so the Antinomians and Socinians argue; therefore we must wholly exclude and delete them out of the Book of God, and banish them out of the Church, as well as the Magistrates coercive power and punishments. Secondly, it fights against the expresse Texts of Deut. 13. 10, 11, &c. 17. 12, 13. where Idolaters and Seducers to it, how deare soever, are expressely commanded to be killed, and publickly stoned to death with stones; for this very end, That all Israel and all the people might beare of it, AND FEARE, and doe no more presumptuously, and DOE NO MORE any such wickednesse as this is among them; to restrain them from the outward practice of evil, and reforme their lives, though it did not alwayes change their hearts. Thirdly, against the 3 Chron. 13. 12, 13, 14. where King Asa and all his Subjects entred into a Covenant, to seek the Lord God of their Fathers with all their heart, and with all their soule; that whosoever would not seek the Lord God of Israel SHOULD BE PUT TO DEATH, whether small or great, whether man or woman: And they swore unto the Lord with a loud voice. Which Covenant, no doubt, made many outwardly to conforme and reforme, who were not inwardly reformed, converted, and so made many Hypocrites: Contrary to the 2 Chron. 23. 16, cap. 29. 10, 11. cap. 34. 31, 32. cap. 33. 16. Ezra 20. 33. &c. Nehem. 9. 18.

Object. 7.
A Reply of
two of the Bre
thren to A. S.
p. 58, 59. Mr.
Dels Right Re
formation, p.
23, 24.

Answer.

Deut. 17. 26
Gal. 3. 10, 13.
Luke 13. 3, 5
Rom. 2. 7, 8, 9
1 Cor. 6. 4, 5.
Gal. 5. 21.
Eph. 5. 6.

where

Gen. 20. 6.
E. 31. 24, 29.
Psal. 19. 13.
1 Sam. 25. 5,
6, 32, 33.

where the like Covenants were entred into, and pressed on the people by Jebojada, Hezekiah, Manasseh, Josiah, Ezra and Nebemiah, with Gods owne approbation, though no doubt they made many Hypocrites and Dissemblers in the objectors sense. Fourthly, against the very Gospel it selfe, and the preaching of it, which civilize and restraîne many, and transforme them outwardly into Angels of light, into true Shepheards and Sheep of Christ, who yet inwardly are incarnate Devils and ravenous Wolves, having a forme of godlinesse, but denying the power thereof, as is apparent by Matth. 7. 15, 16. John 2. 23, 24, 25. cap. 6. 26. 27. 70. 71. Acts 8. 13, 10 25. cap. 20. 29, 30. John 7. 24. 2 Cor. 5. 12. cap. 11. 12, 13, 14, 15. 2 Thes. 2. 9, 10. Matth. 24. 24. 1 John 2. 18, 19. cap. 4. 1. 2 Tim. 3. 4, 5. 2 Pet. 2. 1, 10 22. Fifthly, against Prayer and Fasting, which make some Hypocrites, and wherein many play the Hypocrites, as the Scripture expressly resolves, Matth. 6. 2, 10 7, 16. cap. 15. 7, 8. cap. 23. 14, 15, 25 10 29. Isa. 29. 13. Mark 7. 6. Isa. 58. 2, 10 8. cap. 11. 11, 10 19. Jer. 42. 20. James 1. 22. Sixthly, against Parents correction of their children, prescribed by Prov. 13. 24. cap. 19. 18. cap. 20. 30. cap. 22. 15. cap. 23. 13, 14. cap. 29. 15, 16. and Masters of their Servants, warranted by the 1 Pet. 2. 18, 19, 20. which, no doubt, make many Hypocrites, in the Objectors sense, by reforming and civilizing many outwardly, who are not inwardly changed or converted. Seventhly, against the ordinary or restraining grace of God him selfe, which restraines men from those exorbitant outwardly sinnes and lusts, into which they would otherwise run and rush with greedines; did not this his grace restrain them, which yet doth not always truly sanctifie and reforme them. Eighthly, against the externall judgments of God, which as they reforme and convert some really, as I have proved, and is evident by Isa. 26. 9. *With my soule have I desired thee in the night, yea, with my spirit within me will I seek thee early; for when thy judgments are in the earth, the Inhabitants of the world will learne righteousness; so they make many Hypocrites too, Hos. 7. 12, to the end.* If then the making of some Hypocrites, in the Objectors sense, doth not nullifie all, or any of these particulars, which make Hypocrites too (as I doubt Master De's Sermons have made some likewise;) then certainly it cannot nullifie the office, the coercive power and punishments of Christian Kings and Magistrates, to punish Idolatry, Heresie, Schismes, grosse Errors, Blasphemies, under the Gospel, as the Objectors vainly surmise.

Secondly, I answer, That the coercive power, the corporall and capitall censures of Magistrates, backed with their admonitions and reprehensions, are an Ordinance of God, not onely outwardly, but inwardly to reforme and convert men, by the concurrence of Gods spirit and blessing with them, and many times work a reall, as well as a formall change in the lives and hearts of men, as I have undeniably proved: therefore this assertion, that they make *All Hypocrites, and none Saints; and work onely an outward reformation and forme of godlinesse, without the inward power thereof,* is a groundlesse and false position, which the Objectors can never make good by Scripture, and is contradicted by experience and the Word of God it selfe,

selfe. Thirdly, admit the Objection true, that they wought no inward reformation at all in the hearts of men, but onely an outward forme of godlinesse and conformity, in outward duties; or a restraint of actuall finnes, when the heart is full of Atheisme, Adultery, Pride, Error, ignorance, (which outward restraint, reformation, forme of godlinesse, practice of outward duties, outward order, conformity, and reformation of externall and grosse finnes, Master Dell in the objected passage, and elsewhere confesseth it doth work, and tyes up mad Dogges, Beares and Tygars; &c.) must they therefore be cast aside as uselesse, and have no use at all among Christians, in reforming them and the Church of God? God forbid; for this very bringing of men to a constant outward conformity in the practice of holy duties, and attendance on Gods Ordinances, is a greater honour to God, a greater benefit and credit to a Christian State, and farre better in it selfe, then open contempt, or neglect of the outward Ordinances, or professed impiety, atheisme and prophanenesse. Is not a morall outward reformation of mens lives, the restraining of them from grosse enormities, finnes, errors, heresies, schismes, blasphemies, and chaining them up from infecting others, by severe Lawes, and corporall or capitall punishments, far more beneficiall to the parties restrained, to the Churches, States wherein they live, and lesse dishonourable, offensive unto God and all good men, then the open, unrestrained, unpunished, licentious practice of all sorts of wickednesse and actuall villanies, or the lawlesse preaching, printing, writing all kind of damnable heresies, errors, blasphemies, whimficall and scismaticall Tenets, without any check? Yea, is not a generall externall reformation of mens lives and outward actions, without an inward conversion of their hearts, more pleasing to God, more advantagious to men, then open prophanenesse, impiety and unreformednesse, both in life & heart? Yea verily: witnesse *Ababs* meer outward humiliation, and reformation, without inward; which pleased God so well, that he did not bring the evill threathned against him and his house, in his dayes; and the meer outward morall reformation of the Heathenish *Ninevites*, which caused God to spare, and not to destroy the City within forty dayes, as he had threathned. If so, as the very Objectors and all rationall men must grant; then the civill Magistrates coercive power, his corporall and capital censures are necessary and useful, at least, to work such an external reformation in the Church, though it should make no reall Saints or Converts. Fourthly, the inward change of the heart, and conversion of the soule to God, is neither in the power of the Minister nor Magistrate, the Word or Sword; but of God, and his Spirit alone; the preaching of the Word by Ministers, and the wielding of the Sword by Magistrates cannot change the hearts and spirits of men, of themselves, but God alone by them, as is cleere by the 2 *Tim.* 2. 25. *Psal.* 51. 10. *Ezek.* 36. 25, 26, 27. *Jer.* 31. 33, 34. *Eph.* 2. 1, 4, 5, 8. *John* 3. 5, 6, 7, 8. 1 *Cor.* 3. 4, 10. Shall we then deny the use of the Word and Ministry (as Master Dell and his confederates deny the use of the Sword and Magistracy) in the reformation of the Church, because they commonly reforme

Pag. 73, 9.

39.

1 Kings 21.

17, 18, 19.

Jonah 3.

the outward man in some measure (and that hardly too without the Magistrate) but not change and convert the inward man of themselves, no more then the Sword or Magistrate, without Gods owne blessing on, and concurrence with them? The Objectors certainly will answer, No. Therefore I may say, and they must grant the fame of the Sword and Magistracy. What then must be done? I answer, both must do their bounden duties: Ministers must preach down sins, heresies, errors, schismes, blasphemies with the Word, though they inwardly reforme and convert few or none, or make some Hypocrites by it; and Magistrates must beat and cut them downe with the sword of Justice and corporall punishments, though they really convert none, but onely restraints their outward exorbitances and * spreading infection, or make some Hypocrites and dissemblers, and leave the issue of their endeavours to God, whose onely work it is to reforme and convert mens soules in sincerity from sinne and error, and unite them to himselfe; God neither requires nor expects that they should inwardly reforme mens spirits, or infuse saving grace into their soules, that is his owne and his spirits proper work, not theirs; wherefore they must doe what God enjoynes them, and not neglect their severall duties, because they cannot effect what he requires not of them, even reform mens inner parts, as the Objectors themselves confesse; and therefore would reject the Magistrate and his Sword, as having no place at all in the reformation of the Gospel. Firstly, there is a double reformation under the Gospel, which Master Dell confounds, to delude his Auditors, Readers, and if distinguished, would have rendred most of his Sermon impertinent to his drift. The first, private and personall, consisting in mortification of mens sinfull lusts, renewing of their depraved natures, and turning the whole frame of their soules and spirits from sinne and Satan, unto God; not, a destroying and utter abolishing out of the faithfull and the Elect, ALL THAT SYNNE, corruption, lust and evill that did flow in through the fall of Adam, as Master Dell defines it; since no Saint ^{is}, or can be so exactly reformed in this present world, much lesse no Church, how pure soever: Now this, as it is wrought by God alone, so it is peculiar to the Elect alone, after their effectual calling and conversion, which is still accompanied with many remainders of sinne and corruption whiles they live. Secondly, a publick outward reformation of a visible society of men professing the faith of Christ, consisting in the pure, due, decent & orderly Administration of Gods Ordinances, Sacraments, Word, & Forby among them, according to his revealed Will; and the externall holinesse, unblamablenesse of their lives, and outward Christian deportment one towards another, in all peaceablenesse and honesty. This Reformation is common to all Members of any Christian Church, State, as well Elect as Reprobate, Sheep as Goats, and belongs properly to the * Magistrates and Ministers to effect, according to their respective callings; to the one, by preaching, catechising, admonitions, reproofs and Ecclesiastical Censures, where established; to the other by rewards and encouragements to the good, and admonitions to, reprehensions of, and outward corporall or capitall punishments inflicted upon evill doers.

* See Bishop
Babingtons
Notes on Ex-
od. 18. part 2.
p. 272, 273.

s Col. 3. 5.
Gal. 5. 24.
Acts 26. 16.
Psal. 51. 10.
2 Cor. 5. 17,
18.
Right Re-
formation, p.
4, 5.
v 1 John 1. 6,
7, 8, 9, 10,
Rom. 7. 11, to
the end.

2 Rom. 13. 1,
to 6. 2 Tim. 2.
1. Ti. 3. 1, 2.
e. 2. 12, 13.
2 Thef. 3. 10,
to 15. 1 Cor. 5.
1. 1 Tim. 5. 29
1 Cor. 11. 13,
to 34. c. 14. 40

doers, as I have formerly proved at large, and is clear by Rom. 12. 1, to 7. 1 Pet. 2. 13, 14. 1 Tim. 2. 1, 2. Revel. 17. 16, 17. Isa. 29. 23. Now the number of the Elect being very few, in comparison of the Reprobate, and by farre the smallest number even in the most reformed Christian Church or State, be it never so small or separate from others; no reasonable creature can expect the first kind of reformation (peculiar to the Saints) to be ever wrought in the major part of any Christian Church or Society whatsoever, much lesse in a whole Christian Congregation or Kingdome: yet because no Magistrate, no Minister, nor other person knowes who or what number of any Church or Christian Society are predestinated to eternall life, or are already actually, or hereafter may be inwardly converted, reformed; therefore the Word must be preached, and the means of salvation dispensed unto all, though they convert but few, even those onely who are elected, and onely civilize others, and perchance make many of them Hypocrites; and because, the very Elect themselves, even after their conversion, may fall into scandalous finnes and capitall offences (though not fall finally nor totally from their state of grace) which Magistrates have power and authority as well from God as man to punish, (both to reforme them, deterre and keep others from infection, preserve publick peace, justice, and keep off Gods judgments;) they and all others who externally embrace the Gospel, are in that regard enjoined to live soberly and godly in this present world, to avoyd all finnes and wickednesses whatsoever; yea heresie, idolatry, blasphemy, schisme, erroneous Doctrines, as well as Murder, Adultery, and the like offences; and likewise subject to the Magistrates censures, corrections, in case they actually or openly transgresse in any kind, they being Gods avengers, to execute wrath on those that doe evill; Therefore the civill Magistrate may, nay must and ought to use his utmost endeavours to make an externall publick reformation both in Church and State, and a totall purgation of all sins, offences, heresies, blasphemies, errors and corruptions whatsoever out of both, for the welfare and peace of both, and diverting of Gods wrath from both, though he cannot work an inward reformation in all, no more then the Minister, or Christ himselfe whiles he was here on earth. And therefore this Objection, That Christian Princes and Magistrates ought not to restraine or punish Hereticks, Schismaticks, &c. or to intermeddle in the outward Reformation of the visible Churches within their Territories, because they cannot inwardly convert and reforme all members of them, is a most absurd and ridiculous Objection. Sixtly, to civilize, moralize or restraine Christians from the outward acts of finnes, from which they are not inwardly purged, by penall Lawes and corporall Censures, as Magistrates oft doe, is not to make them Hypocrites, and two-fold more the children of hell then before, as is most falsly objected; but to make them actually better, and lesse sinfull, lesse hurtfull then otherwise they would be, were they not restrained: for the fewer actual sins men openly commit, the lesse is their condemnation, the more their commendation; the lesse they infect others; the lesse they dishonour and provoke God, the lesse they

Mark 16. 15
16. Heb. 6. 4,
to 9. Acts 13.
48.

2 Sam. 2. 11
& 12. Psal. 51
Job 31. 5, to
31.

Ex. 22. 28
1 Tim. 2. 11.
1 Pet. 2. 12
Sec. Ting. 2. 2
13, 14. Gal. 3.
19, 20, &c.
1 Tim. 4. 1, to
7. 2 Tim. 3. 1.
to 6. Rom. 16.
17, 18 Jude 1.
to 20. Acts 20
29, 30.
d. Rom. 13. 3, 4

Rom. 2. 5, to
10. James 5. 3.
Revel. 18. 6, 7

f Master Dell
p. 39. confes-
seth it. See
1 Pet. 5. 8. Job
1. 7. Rev. 20. 1,
to 10. c. 12. 11.

* See Gregor.
1. 7. epist. 40.
Antonius 2.
par. Tit. 12. c.
2. Master Ru-
thersfords Due
Right of Pres-
byters, p. 354,
355.

they disturb the publick peace; the more exorbitant, excessive, nume-
rous, audacious their transgressions are, the more is their guilt, the hea-
vier their judgment, the more pernicious, dangerous their example, and
the more they provoke Gods publick judgments against the places where
they live, and encrease the guilt of those Magistrates who suffer them to
goe unpunished: *witnesse Foxes, Bears, Lyons (yea the Devil himself) who chained
up, are nothing so hurtfull, as those that run at large, though they retaine their
natures still:* the like we may say of chained Hereticks, Schismaticks, Blas-
phemers, Seducers, and all kind of restrained sinners, by coercive Lawes or
Punishments. *Oderunt peccare mali formidine pœne,* Neither makes ill men
formall Hypocrites, nor worse then if they were unrestrained; yea their
pretending of an inward reformation, or dissimulation of their heresies,
blasphemies and hereticall opinions, is nothing so sinfull, so dangerous,
so hurtfull, so damnable, as the open practice, spreading and profession of
them with impunity. Seventhly, The Magistrates and Gods intention in
punishing and restraining Hereticks, Schismaticks, Blasphemers, and other
Malefactors, is not to make them Hypocrites, but really to reclaime
or make them better at least, if not inwardly to convert them: If
* their restraint or punishment make any formall Hypocrites (as the very
Gospel preached doth more frequently then the sword of Justice) it is not
the fault of the Magistrate, or the punishment inflicted, which are good,
but of the parties punished, who pervert them to a contrary end then they
were intended: Their abuse therefore of them must not nullifie them,
neither as to themselves, nor others who may profit by them, and make bet-
ter use thereof. Eightly, Saint Paul hath most fully refuted this Objection
in a like case, Phil. 1. 15, 16, 17, 18. *Some indeed preach Christ, even of envy
and strife, and some also of good will: The one preach Christ of contention, not sincere-
ly, supposing to adde affliction to my bonds: But the other of love, knowing that I am
set for the defence of the Gospel. What then? Notwithstanding every way, whether in
pretence or truth, Christ is preached, AND I THEREIN DOE RE-
JOYCE, YEA, AND WILL REJOYCE:* compared with the 1 Cor.
1. 18, 23, 24. *For the preaching of the Crosse is to them that perish, foolishnesse;
but unto us that are saved, it is the power of God, &c. But we preach Christ cruci-
fied, unto the Jewes a stumbling block, and unto the Gentiles foolishnesse; but unto
them which are called, both Jewes and Greeks, Christ the Power of God, and the Wis-
dome of God: &c. 2 Cor. 2. 15, 16. For we are unto God a sweet savour of Christ, in
them that are saved, and in them that perish; to the one we are the savour of death unto
death, and to the other the savour of life unto life; and who is sufficient for these things?
Though some men preach Christ for good ends, otheres for bad; some in
pretence, others in truth; and though the preaching of the Gospell be a
stumbling-block to some, foolishnesse and a savour of death unto death
to others, aggravating and encreasing their finnes and condemnation in an
high degree (which is worse then outwardly to reforme or make them
Hypocrites) and the power of God to salvation but to a few, working such
contrary effects; yet it must be preached, because God commands it, hath
glory*

glory by it, even in those that perish, and some are converted thereby, though others hardened and damned; so, though the Magistrates coercive power and punishments, inwardly convert not many, yet because they restrain most Hereticks, Schismaticks, Sinners from doing more mischief to others, and committing more actual sinnes in themselves, yea make an outward conformity and reformation where Justice is duely executed, they must be still continued and conscionably used in the Church, though they should make many men Hypocrites, and worse then they were before, being God's Ordinance for good, not ill. Ninthly, admit the Magistrates punishments and coercive power should actually convert and reforme none in a Gospel way of themselves; yet they compell them to resort to the Word and Ordinances, and to the use of those meanes which God hath specially appointed to convert and reforme them, both in heart and life, yea, the suppressing of all private meetings and conventicles of Hereticks, Schismaticks, Anabaptists, Papists, Blasphemers (which confirme and settle them in their damnable heresies, errors, schismes) and constraining them to resort conscionably to our publick Congregations, where the Word of God is truly preached, expounded, & the Sacraments duely administered (all former grounds of their Separation and Schism from our Assemblies being fully removed, so as there is nothing but obstinacy which now makes them separate) would be a ready meanes, through Gods blessing, to reduce, reclaime, convert and unite such both to God and us, and put a speedy period to all our desperate schismes, occasioned meerly by the cowardize or negligence of Magistrates in not censuring, and of the people in not informing against, and prosecuting such offenders. With this kind of compulsion, to force men to our publick Ordinances and Assemblies, from which there is no just ground of conscience now to separate, is no forcing of their consciences, nor compelling them to believe, nor prosecuting of men for conscience (as is maliciously objected) no more then a Physicians compelling of a Patient to take a bitter Potion against his will, to recover his health, and save his life; or a Parents constraining his Child to goe to Church or Schoole; or a Masters compelling his Servant to doe his work, or learne his Trade; or a Commanders enforcing his Souldiers to fight against their wils; or the putting of a lame person into a Bath against his mind to recover his limbs; and hath been practised in all Ages by the most religious Princes; being warranted by Gods owne dealing with us in our conversion unto him; who ^h compels us to come in, yea, ⁱ draws us to and after him, against our corrupt wils, hearts, natures, lusts: and at last, through the use of Meanes and Ordinances by little and little, of unwilling makes us willing, ^k working in us both the will and the deed of his good pleasure: Upon this ground the good Kings of Judah, Nebemiab, and others, ^l compelled and commanded their Subjects to enter into Covenant with God, yea to destroy the Idols, Altars, Groves, Prophets, Priests and Temples of their Idol gods, and put away their Idolatrous Wives; which they would no wayes tolerate: and those that separated from the publick Ordinances and Congregations, through negligence.

^h Mat. 23. 3.
Luke 14. 15.
to 25.

ⁱ John 6: 44.
Mar. 23. 37.
Luke 13. 34.
^k Phil. 2. 13.

^l 2 Chron. 12.
to 17. c. 34. 30
31, 32. Neh. 9
& 13. c. 12. 11
to 23. Ezr. c.
9. & 13.

m Levit. 23.
27, 28, 30.
Numb. 9. 13.

ligence or schisme, were to be cut off from the people by the hand of publick justice, as the marginall Scriptures evidence. All which considered, this great Objection (much magnified, pressed by our Opposites) will be fully cleared, dissipated and vanish into nothing.

Object. 8.
n Master Dels
Right Reformation, p. 23.

The eighth Objection is this, "The coercive power and punishments of the Magistrate in matters of Religion, brings men into Blind Obedience, and makes men obey what is commanded on paine of punishment, though they know not whether it be right or wrong, with the Word, or against the Word; so that a man shall say, That what I doe, I am constrained to doe, and therefore I doe it because I am constrained to doe it: When a man shall see prisons and banishments, and losse of Goods walking up and downe the Kingdome for the reformation of the Church, you shall have men say at last, We will beleeve, and doe as the State pleaseeth, or as the Counsell pleaseeth: and how acceptable such faith and obedience is to God, all spirituall Christians know."

Ergo, Magistrates must not punish Hereticks, Schismaticks Seducers or Blasphemers with capitall or corporall censures. This Argument is borrowed from Master Robinson his Justification of Separation, pag. 224.

Answer.

I answer, first, that Master Dell here confesseth, That corporall punishments prisons, banishments, losse of goods, and death walking up and downe a Kingdome, is a ready meanes to bring men to unity and conformity in Gods worship, when no meanes else will prevaile; therefore it is fit to make use of this meanes, when there is occasion; and certainly there was never more occasion then now, when many of his Saints are grown so audacious, insolent, domineering, exorbitant in their Heresies, Blasphemies and open affronts used to our Ministers everywhere, disturbing and pulling some of them out of their Pulpits. Secondly, if the thing commanded be good, agreeable to the Will and Word of God (as to repaire constantly to the publick Ordinances and Assemblies, to heare, pray, and worship God,) it is obstinacy and wickednesse to disobey, and no blind, but just and conscientious obedience to submit: if the thing commanded be simply evill, and the party commanded be convinced of it by cleer evidences out of Scripture, it is his honour and duty to obey God rather then men, and cheerfully to suffer for disobeying: if the thing commanded be meerly doubtfull to him that is commanded, but not to him that commands, who deemes it just; there the command of the superiour Power ought to poyse the scales of obedience, especially in things not apparently sinfull. Thirdly, Obstinacy, Heresie, Error, Schisme, really make men blind in a spirituall sense, and those who follow them are more guilty of a blind obedience then the Magistrate, who by mulcts and punishments would open their wilfully closed eyes, and reduce them to the way of truth and unity. Fourthly, a Blind Seducers are more guilty by farre, of leading men into blind obedience, then the coercive Lawes and Punishments of Christian States and Magistrates: Witnesse Christs Speech of the Pharisees and Jewish Priests, Matth. 15. 14. They be blind Leaders of the blind, and if the blind, lead the blind both shall fall into the Ditch: And Matth. 23. 16, 24, 26. Wee unto you ye Scribes, Pharisees Hypocrites; ye blind guides, ye fooles and blind

p Acts 4. 19,
20. c. 5. 29.
Dan. 2. 5. 1017
c. 3. 8, 10 30.
c. 6. 1, 10 28.
Mat. 5. 10, 11,
12. 1 Pet. 3.
14. c. 4. 13, 14.
9 Mat. 15. 19.
c. 23. 16, 24,
26. Luke 6. 39
John 9. 33, 40.
2 Pet. 1. 9.
Rom. 3. 17.
Rom. 11. 7.
2 Cor. 4. 4,
1 John 2. 11.

blind (which is repeated in one Chapter; and Luke 8. 39.) witness the 1 Pet. 2. 1, 2. There shall be false Teachers among you, who privily shall bring in damnable Heresies; &c. And many shall (blindly) follow their pernicious wayes. 1 Tim. 4. 1. Now the Spirit speaketh expressly, That in the latter times some shall depart from the faith, giving heed to seducing Spirits, and Doctrines of Devils: compared with the 2 Tim. 3. 1, to 6. cap. 2. 14. Acts 5. 36, 37. cap. 20. 30. together with Math. 24. 11, 24. Many false Prophets shall arise and deceive many, 2 Thes. 2. 10, 11. Revel. 13. 4, 8, 15, 15. Antichrist, the Beass, and the false Prophet shall deceive and seduce all that dwell on the earth, whose names are not written in the Book of life: In all Ages blind Priests, Sectaries and false Teachers have been the greatest seducers, and most led people into blind obedience; witness the blind obedience of the Papists to their Priests and Confessors, and of most Sectaries and Independents to their blind Teachers, who follow them blindly in an Independent Church Government, which their chiefe Leaders have not yet agreed on, and either cannot or dare not plainly publish to the world, though earnestly pressed thereunto by their Opposites and publick authority: which Government Master Dell now professedly denies, ^{r Right Reformation. p. 5, &c.} averring, That there is no other Reformation under the Gospel, BUT ONELY that of the inward man; and other Reformation, be and the Gospel knowes not any. Yea, this is the misery of miseries in this seeing Age (as is pretended) that many people zealously affected, as if they were all Quicksilver, Weather-cocks, or waves of the Sea, blindly wheel about with every wind of doctrine, running after every idle crocher of their Independent wavering Pastors, without examination, beleeving it as an Oracle sent from Heaven, because they vent it, though there be no ground in Scripture for it, and cry it up for NEW LIGHT, when in truth it is onely OLD HERESIE revived, or NEW BLASPHEMY or Error, guilded over with the name of Gospel-Light: How many poor souls: Master John Goodwin, Master Peters, Master Dell, Master Saltmarsh, Paul Hobson the Taylor, (now a shining light) and their Confederates, have thus captivated and led away with blind obedience, is too well knowne to the world: Ergo, by Master Dell's owne Doctrine, since they have brought men with their New light and Crochets, to beleev and doe even what they please or prescribe, though they know not whether it be with the Word or against the Word, they must be from henceforth quite exploded out of the Church, as well as the Magistrates coercive power, prisons, banishments, losse of Goods, or death; or if they deny this consequence, they must still admit of these in the Church, to suppress and punish Heresies, Hereticks, Schismes, Blasphemies, though they bring some into blind obedience, as Ministers, and their erroneous New lights daily doe, who produce more, and farre worse blind obedience, then the Magistrates coercive Lawes or Punishments. Fifthly, it is most evident, that there alwayes hath been, and ever will be much blind obedience in the Church of God, arising principally from the Ignorance, Idleness, want of love to the truth and inconstancy of men; and till God himselfe by his Spirit shall fully open the eyes of mens understandings to behold, and their hearts to receive, love and

Eph. 4. 14.

Rom. 1. 6.

2 Pet. 2. 1, 17.

Jude 12, 13.

See Master Edwards his Gangrenes especially the third part.

Eph. 4. 18.

Rom. 1. 21, 23

2 Thes. 2. 10.

11, 12. 2 Cor.

4. 4. 1 John 2.

11.

Eph. 1. 11.

Revel. 3. 18.

y Acts 13, 48.
2 Pet. 1. 9.

z Animadver-
sions on Ma-
ster Dell's Ser-
mon, p. 2.

a See the Apo-
logy of the
five dissenting
Brethren.

b Rom. 13. 1. 1
1 Pet. 2. 12, 13
14. Tit. 3. 1.
Josh. 1. 18.

c Acts 20. 29,
30. Rom. 16.
7, 8.

d See Master
Rutherford's
Due Right of
Presbyters, p.
355, 356.
Aug. Epist.
48, 50.

Object. 9.

hold fast the Truth (the happinesse of few or none but *y the Elect*) they will be still possessed more or lesse with such a Blindnesse. This therefore being the misery and punishment of mankind (for their originall disobedience to God in *Adams sinne*) of two inevitable *blind obediences*, it is farre better, safer for people to beleieve, as the State and Councell shall please, and what the Parliament & Assembly (after much fasting, prayer, seeking unto God, studying and searching of the Scriptures) settle, then what Mr Dell shall decree (who understood not the very meaning of his Text, as Mr Love *z* hath proved, and scarce of any one Scripture he quotes, as I have evidenced;) or what Master Goodwin, Master Peters, Master Salmarsh, Paul Hobson, or any other New light shall prescribe and set up of themselves, without and against Authority; especially since they beleieve and prescribe all with a *Scepticall Faith* and reserve, to change and alter at their pleasure, and not to be bound by their present judgment or practice: which for ought men know, may alwayes ring the changes till their knels be rung; they having been so variable heretofore, and yet not fixed at the last: certainly such a blind obedience to the Parliament, State, Councell and supream Powers, to *b whom* God enjoynes Obedience in all lawfull and indifferent things, will be farre more acceptable to God and all good men, and freer from the brand of *Popish Obedience*; then blind obedience to Master Dell, or any other New Comet whatsoever, with wilfull disobedience both to our Church, State, Parliament, Lawes, established Religion and Government, the practice of the best and purest Churches of ancient and latter times, from which these New lights vary, out of affected singularity, *c* or to maintain a faction to bring about their owne worldly designs. Finally, the blind obedience of Hereticks, Schismaticks, false Teachers, Sectaries, and the like, to Lawes and Punishments, which would both restraine and reclaime them, is farre more acceptable to God, more profitable, lesse hurtfull, lesse damnable to themselves, lesse pernicious to others, lesse hurtfull, scandalous to the Church and State wherein they live, and more pleasing unto both, then their obstinate Heresies, Errors, Schismes, blasphemies, are or can be; and may (through Gods blessing) prove an effectall meanes of their reformation, if not of their reall conversion to the Truth: therefore *ex duobus malis minimum*; the danger of *blind obedience*, must neither exempt such from the Magistrates jurisdiction, nor from his corporall or capitall punishments, which are just and lawfull in themselves, and may prove beneficiall, or at least, lesse hurtfull to them of the two. Finally, *d* the Magistrates compelling Hereticks and Schismaticks (seduced to blind Obedience by their blind Leaders) to come to the publick Ordinances, where they may be truly informed, instructed and converted to the truth, is so farre from working blind obedience in them, that it brings them to true and solid obedience, upon just grounds of Scripture, reason, conviction, and so is quite contrary to what is here objected: And thus I have blowne up this strong Hold of this great Man of Warre, as well as the former. His next Objection is this:

Forcible Reformation (or suppressing Heresies, false Doctrines, Blasphemies,

mies, Schismes, by externall Censures) ^d causes disturbances and tumults in the world: when men are caused by outward power, to act against their inward principles, in the things of God; what disturbances this hath bred in States and Kingdomes, who knowes not? So that they who lay hold on the power of men, and goe about to reforme hearts and consciences by outward violence, are never the cause of Reformation, but alwayes of tumult: And this renders the cause of the Gospel grievous and odious to the world, rather then commendable: and therefore let all that love the Gospel of Christ, abstaine from outward violence; for they that use the Sword, in this kind, shall in the end perish by the Sword.

This Argument and misapplication of our Saviours words, is borrowed from the old Donatists and late Anabaptists, as is evident by August. Cont. Lit. Petilian. Donatist. l. 2. c. 88. Epist. 48, 50. & Luc. Osiander Enchirid. contr. cum Anabaptistis c. 9. qu. 1. p. 188.

I answer, first, That this Argument is grounded on, deduced from no Text of Scripture, but meerly on, and from worldly policy, which Master Dell tels us, must have no place in the Church of God, no more then worldly power. Secondly, as we must not do evil that good may come of it, so the Magistrate must not neglect to do justice, and punish Hereticks, Schismatick Seducers, Idolaters and Blasphemers, though outward mischiefs, seditions, tumults (* which they cause) may ensue thereupon: Master Dell, I hope, never preached this Doctrine, either to our Victorious General, or the Army, that the taking up Armes against the King and his Malignant Forces in defence of our Parliament, Religion, Lawes, Liberties, would cause very great disturbances, tumults, murders and distractions in the Kingdome, farre more, far greater then the suppression of obstinate Hereticks or Schismaticks; Ergo, it was utterly unlawfull for them to take up Armes, or fight, or draw blood in this cause, as Doctor Ferne, and other Royallists argue from this very ground; if he had preached any such Doctrine to them, no doubt they would have casheered & sequestred him long ere this for such Malignant Divinity, as some Cavalierish Divines have been, even by Independents themselves, as well as by Presbyterians. If then his Argument holds not at all, by the Generals & whole Armies reall acknowledgment and practise; by the whole Parliaments, and their Adherents joynt Resolutions, in case of our present warres, much lesse will it hold in the case of the Magistrates suppressing, punishing reall Heretickes, Schismatickes, and Blasphemers, according to his duty. Thirdly, this reason might be urged against the apprehending and punishing of potent Malefactors, of a strong party of thieves, plunderers, riotors, rebels and the like; yea, against the relieving of our distressed brethren in Ireland against the bloody Irish popish Rebels; or suppressing the Pirates of Dunkirk, Tunis, Algiers: yea, against populer Elections of Knights and Burgeses for Parliament, which many times cause Tumults and commotions; yet it holds not waight in any of all those cases; therefore not in this objected. Fourthly, Master Dell might object thus against the expresse Text of Deut. 13. 13. to 18. where God commands the Israelites to make Warre against an whole City that Apostatized to Idolatry, and to smite all the Inhabitants thereof with

d Right Reformation, p. 3

Answers

e Rom. 3. 8.

* Harefts in Republics bellum, & seditionem concitar, Tho. Beauxannis Har. Evang. Tom. 2. f. 630.

f Appeale to thy Conscience. See the Grand Rebellion; The Necessity of christian Subjection; The state of our Affaires, &c.

the edge of the Sword, and destroy it utterly; because it could not be done without great disturbances and tumults; against the whole Congregation of Israel warring against the Tribe of Benjamin, and Inhabitants of Gibeah, for not delivering up into their hands those wicked men of Gibeah, who ravished the Levites Concubine to death, that they might put them to death, and so put away evil from Israel, Judges 20. because it cost many deer-bought Battails, much bloodshed, yea, the lives of many thousands, and brought the Tribe of Benjamin almost to utter ruine; against the reformation of most of the godly Kings of Judah; against ^g *Jehu* his proceedings against the house of *Ahab* and wicked *Jerzabel*; against Gods owne miraculous punishing of *Corab*, *Dathan* and *Abiram* for their Schisme, which bred much murmuring and tumult against *Moses* and *Aaron* among the discontented multitude; Yea, against the very preaching of the Gospel it selfe, by *Christ* and his Apostles at first, and his godly Ministers since, which occasioned, engendred many tumults, commotions, seditions, persecutions, Wars in the Christian world, as all Ecclesiasticall Histories evidence; and *Christ* himselfe predicted they should, *Matth.* 10. 34, 35, 36. cap. 24. 6, to 14. *Luke* 12. 51, 52, 53. cap. 21. 8, to 18. *John* 16. 1, 2. yea, against the private Conventicles of Master Dels Saints, the Anabaptists and other Sectaries Dippings, secret meetings, and violent invading of our Pulpits against the Ministers and Peoples wils, in many places: Therefore Master Dell must certainly disclaime this idle, childish argument. Fifthly, these Disturbances and Tumults, are but contingent, not necessary consequences of Magistrates forcible reformation and punishments on obstinate Hereticks and Schismatics, who are commonly punished, suppressed (if the Magistrates proceed discreetly) without any great tumult or resistance, and not a ^{*} necessary concomitant: and when such tumults happen, through the Hereticks potency, obstinacy and wilfull resistance of the Magistrates lawfull power or censures, it is not the Magistrates fault or sinne, but the Hereticks, Schismatics, Malefactors; and ever, or for the most part ^k ends in their destruction and damnation, if not totall extirpation: witnesse the tumultuous ^l *Donatists* Example of old, the ^m *Germane Anabaptists* Tumults and Rebellions since, and those who have trod in their wicked paths, as the Rebels in *Cornwall*, *Devonshire* and the North, in King ⁿ *Edward* the VI. and Queen *Elizabeths* Raigns, opposing their godly Reformations by open force; to whom that Text of *Mr Dels* is most justly appliable; Those that use the Sword in this kind (against the Magistrate) shall in the end perish by the Sword; spoken by *Christ* to *Peter* himselfe when he drew his Sword to rescue *Christ* himselfe from the high Priests violence, *Mat.* 26. 51, 52, 53. not of the high Priests Servants, who came out to apprehend him, with swords and staves, ver. 47. 55. So that this Text makes point-blank against tumultuous resistance of the Magistrate, by those whom he would reforme by coercive lawes and punishments but nothing at all against the Magistrate; whom, those who resist in his lawfull calling, resist the very Ordinance of God, against Gods owne expresse commands in the Gospel it selfe, and shall bring upon themselves swift damnation and destruction too, *Rom.* 13. 1, 2, 3, 4. *1 Pet.* 2. 13, 14. *2 Pet.* 2. 1.

Sixtly,

^g 2 Kings 9. &
10.

^b Num. 16. 41

ⁱ See Master
Edwards Gan
grana, part 3.
p 251, 252,
253, 254, &c.

^{*} See *August.*
Epist. 48, 50.

^k 2 Pet. 2. 1, 2
&c. *Ars* 5. 36
37, 38 *Rom.*
13. 1, 2, 3, 4.
^l *August.* cont.
Crest. Gram.
1. 3. c. 42, &c.
^m *Sleidan* com
1. 10. *Span.*
hemii. *Diatr.*
Hist.
ⁿ See *Holins-*
head, *Spred*,
Stow, *Grafio*
Cambden's *E-*
lizabeth.

Sixty, whereas he objects, That forcible reformation by coercive Laws and Punishments, and the civill Magistrates coercive power, are NEVER THE CAUSE OF REFORMATION, but ever of tumults, it is a most bold and false assertion, contrary to all the expresse precepts of God, for the corporall and capitall punishments of Idolaters, Apostates and Seducers, in the old Testament, and all the Presidents of the Reformation of godly Kings and Magistrates, therein recorded for our imitation, already cited; of farre more credit then Master Dels bold assertion; contrary to the 1 Cor. 5. 5. which resolves, that the punishment of men, and delivering them to Satan, to afflict and torment them, to the destruction of the flesh, is a meanes that their souls might be saved in the day of the Lord Jesus; compared with the 1 Cor. 11. 32. contrary to the experience of all former Ages, of the Reformed Churches abroad, and our owne Lawes, Statutes against Recufants and Sectar ies at home; there being few Heresies, Errors or Schismes in any Age or Church that were ever totally suppressed and reformed, but by the Magistrates power; which if duly executed, would quickly quell all Heresies, Errors, Schismes, that now infest our Church, without any considerable stir or tumults. Pope o Leo the first, in two Gratulatory Epistles to the Emperor Martiannus and the Empreffe Pulcheria wives, That by their coercive Lawes against Hereticks, the Heresie of Euniches was twice suppressed, and at the last, extirpated throughout the world, to their double Crowne, Honour; and those Hereticks brought to publick Repentance, reconciled and admitted into the Catholick Church: *Quia devotionis utrumque & Christiana, ut pertinaces SEVERITAS JUSTA COERCEAT, & conversos Charitas non repellat.* August. contr. Lit. Petil. & Epist. 48, & 50. affirms of the Donatists; that very many, yea, whole Cities of them were converted in his time for fear of punishment, by the lawes against them; and our owne Nubrigenis, l. 2. c. 13. and Eusebius, de Vita Constantini, l. 3. c. 54. forecited, informe us of the like effects, and Gratian more fully, *Causa 23. qu. 1, 4, 5.* The like course now, would no doubt produce the same effects, and keep others from infection and falling into Heresie, Blasphemy, Schismes, to the publick prejudice, whatever Master Dell pretends to the contrary. Finally, I answer, that this Objection made by a Chaplaine to the Army, who have now the sword and power in their hands, might receive a very sower construction, if compared with his late Doctrine in the Army; but I know the integrity and fidelity both of our incomparable General, and the generality of our Souldiers, to be such, that they would rather lay downe their Lives and leave the Kingdom (as Master Peters hath oft avowed in the Pulpit on their behalfe) then raise the least tumulte or disturbance to oppose the Church-government and Reformation which the Parliament in their wisdomes shall establish. And so I have routed Master Dels chiefe Arguments; that from henceforth (to use his owne words to Master & Love) *Babes and Sucklings, you shall come forth and answer this Master in Israel.*

Epist. 38, 39

See Master Edwards Ginzana, the part 3. p. 63, 64, 213.

Page 34

The tenth Objection is this, Forcible Reformation is unbecoming the Gospel, Object. 10.
for the Gospel is the Gospel of Peace, and not of Force and Fury; Civill, Ecclesi- Right Reform-
asticall ation, p. 22.

aticall Reformation, reformes by breathing out Threatnings, Punishments, Prisons, Fire, death; but the Gospel by Preaching Peace; And therefore it is most unbecoming the Gospel to doe any thing violently for the advancement thereof, &c. So the Donatists and Anabaptists argued heretofore, and Master Dell out of them now.

See August.
lib. 2. contr. lit.
Petiliani, &
contr. Crescon-
ium Gram. 1.
2. & Epist. 48.
Lucas Osiander,
Enchirid.
contr. cum Anabaptistis,
cap. 9. qu. 2, 3,
4.

I answer, first, though the Gospel be a Gospel of Peace to those who obey it, and offers Peace to all at first; yet it alwayes reforms not only by preaching peace to men, but Warre, Hell, Death, Damnation and losse of Heaven, Peace being but one branch thereof. This is cleere by Matth. 10. 11, to 16. Luke 10. 5, to 16. Mark 6. 11. where when Christ sent forth his Disciples to preach; he bids them, At their first entrance into any house or City, to say first, Peace be to this house: But if they received them not, then he commanded them to goe into the streets, and say: Even the very dust of your house, or City, we do wipe (or shake off) against you; and that it shall be more tolerable for Sodom in that day, then for that house or City. So after his Resurrection, when he sent forth his Apostles, to preach the Gospel to every Creature, he gives them this disjunctive Commission; He that beleeueth and is Baptized, shall be saved; here is peace: But he that beleeueth not, shall be damned; here is warre, threats, violence: Mark 16. 16. So John 3. 36. He that beleeueth on the Son hath everlasting life; (here is peace;) & he that beleeueth not the Son shall not see life, but the wrath of God abideth on him: here is war: and ver. 18. He that beleeueth on him is not condemned, but he that beleeueth not is condemned already, &c. So Luke 13. 3, 5. Except ye repent ye shall all likewise perish. Here Christ proclaimes Warre as well as Peace, Threats as well as Promises, Damnation as well as Salvation, even to work Gospel-reformation: The like did John Baptist, his forerunner, Matth. 3. 10, 12. and Saint Paul in sundry places; as Rom. 2. 5, to 11. 1 Cor. 6. 9, 10. Gal. 5. 21. (quoted by Master Dell himselfe) Ephes. 5. 6. Phil. 4. 18, 19. Col. 3. 5, 6, 25. 1 Thes. 5. 3. 2 Thes. 1. 6, to 12. cap. 3. 8, 12. Heb. 2. 2, 3. cap. 4. 1. cap. 6. 4, to 9. cap. 10. 16, to 31. cap. 12. 21, 29. Hence in the 2 Cor. 5. 11. he useth this expression; Knowing therefore the TERROUR of the Lord, we perswade men: Saint James doth the like, James 5. 1, 2, 3. Saint Peter the like, 2 Pet. 2. & cap. 3. 7, 10, 11. Saint John the like, 1 John 5. 12, 16. and Jude the like, ver. 5. 17. who concludes thus, verse 23. And others SAVE WITH FEARE, PULLING THEM OUT OF THE FIRE: So Revel. 20. 14, 15. cap. 22. 15, 19, 20. & Matth. 25. 31. to the end, we have the like Threats and Punishments in Hell fire, propounded to scare men by feare unto Repentance, which work upon mens hearts to convert them, as well as the promises of peace: Yea, Paul assures us, That the Law (which is full of terror and menaces) is our Schoolmaster to bring us unto Christ, that we might be justified through faith, Gal. 3. 24. And Christ himselfe under the Gospel, converted Paul the Persecutor in the midst of his persecution, not by the Gospel of peace, but by a shining Light, and terrible voyce from Heaven, which struck him unto the earth, astonished him and his whole company, yea, by smiting him with blindness for a time, and by this forcible means made him a Preaching Paul, building that which he formerly destroyed,

See August.
Epist. 48.

Acts 9. 1, to 17. cap. 22. 4, &c. Therefore its false which Master Dell avers, That the Gospel reformes and converts men onely by preaching Peace, and that it breaths not out threathings, punishments, fire, death, as Church-Ecclesiasticall reformation doth, which misseems the Gospel: For Christ, though he be a Lamb, yet he hath *wrath in him too, as well as meeknesse, which wrath * Psal. 2. 5, 12 is exceeding terrible; yet he converts men by it, and by threats of eternall Rev. 6. 16, 17. torments, fire, death, as well as by preaching peace.

Secondly, we read Psal. 2. 8, 9. this Prophecie of Christ himselfe vnder the Gospel, *Aske of me and I will giue thee the Heathen for thine Inheritance and the uttermost parts of the Earth for thy Possession: Thou shalt BREAK THEM WITH A ROD OF IRON, and dash them in pieces like a potters vessell;* recited and applied to Christ in the new Testament, Revel. 2. 27. & 19. 25. So Psal 110. 2, 5, 6. The Lord shall send the R O D of thy strength out of Sion; rule thou in the midst of thine Enemies: The Lord at thy right hand shall strike thorough Kings in the day of his wrath; He shall judge among the Heathen; He shall fill the places with dead bodies; He shall wound the heads over many Countries: Yea * Master Dell himselfe asserts; That Christ shall punish sinners more severely then any powers of the world can punish them, for he shall smite the Earth with the R O D of his mouth, & with the breath of his lips he shall slay the wicked, Isa. 11. 4. If then Christ doth thus subdue and break in pieces with a Rod of Iron, and the Rod of his wrath, the Heathen which God gives unto him for his possession, and wound the heads over divers Countries, yea slay the wicked (that is, their wickednesse and finnes, not persons) by the Rod of his mouth, that is, by threats and terrors, and converts some in a forcible manner, as he did Paul from Heaven; then certainly the Gospel and Christ doe not alwayes convert by preaching peace, and forcible Reformation is not unbeseeming the Gospel, since Christ himselfe doth thus use it, as these Texts import; yea, Christian Magistrates may breath out prisons, fire, death, threathings, punishments against Hereticks, Blasphemers, and obstinate Malefactors, to retrain and reforme them, as well as Christ, the Gospel and his Ministers, breath out Rods of Iron, Damnation, a Lake of fire, Hell, chaines of darknesse, and everlasting death, torments; to reforme and turne men from their sins.

Thirdly, If it be most unbeseeming the Gospel of Christ to doe any thing forcibly for the advancement of it, then why do not Master Dell, Master Salmarsh and Master Peters reprove, reforme their preaching Souldiers and Captains, (as y Colonel John Hewson, Lieutenant John Webb, and others) who violently intrude into our Ministers Pulpits against their wils, and in a most tumultuous manner, interrupt them forcibly in their Sermons, preach in their places, and offer violence to their persons; threathning not to sheath their Swords, till they have rooted out all the Priests, and left never a Black-coat in England, & teach them this good Doctrine: May these thus tumultuously, forcibly against the Ordinances of Parliament, use open force and violence, without any check or exemplary punishment by a Counsell of Warre, and yet must not the Magistrate use the Sword of Justice to punish such seditious riotous Schismatics and Hereticall Sectaries, without dishonouring the Gospel of peace? Yea, why have

v Id est, Converteres in eis terrenas cupiditates, & venteris hominis lutulenta negotia, &c. Aug. Enar. in Psal. 2.

* Page 27.

Master Edward his third part of the Gangrana. p. 252, 253, 254 &c. & 2 part passim.

2 See August.
 Epist. 48, 50.
 Gratian Car-
 sa 33. qu. 1, 4.
 5. Socr. Eccl.
 Hist. l. 1. c. 8.
 Cent. Magd.
 4, 5, 6, 7, 8. cap
 1. De Hæresi-
 bus, & c. 7. De
 Officio Politici
 Magistratus in
 ordinanda & con-
 servanda Gu-
 bernatione &
 Disciplina Ec-
 clesiastica, Aug
 l. 2. cont. lit.
 Petil Optatus
 l. 3. a Eusebius
 Eccl. Hist. l. 7.
 c 24. Nicepho-
 rus Eccl. Hist.
 l. 6. c. 24. Ita
 Paulus ab Ec-
 clesia non tan-
 tum a sancta &
 Ecclesiastica,
 verum etiam a
 piofan & Mun-
 dana potestate
 turpiter est pul-
 sus. Cum sum-
 mo dedecore se-
 cularis imperii
 ac potestatis
 autoritate ab
 Ecclesia peni-
 tus extrudatur.
 b See Harmon-
 y of Confessi-
 ons, Sect. 19.
 of the Civill
 Magistrate.
 c Zanchii Mis-
 cel. cap. de Ma-
 gistratu.
 d Master Bur-
 roughs of heart
 Divisions, p.
 20, 21.
 e See Lucas O-
 stander, Enchi-
 rid, cont. cum,
 Anabaptists, c. 9. qu. 3, 4. & c. 10. qu. 1, 1. f : Tlm. 2. 1, 2. g See Fitz-Herberts Cromptons, and
 Daltons Justice of Peace.

have Master Dell, Master Peters and Master Salmarsh themselves in some
 places endeavoured forcibly to intrude into the Ministers Pulpits (as Ma-
 ster Bodens at Bath, and elsewhere) against their wils, and convented them for
 denying to admit them, till they had recanted their erroneous Doctrines?
 Let them then for shame renounce this Objection, which their own practice
 refutes as heterodox; or else reforme these their violent practises, or deny
 this power to our Magistrates, which themselves and their Saints usurp, as
 peculiar to themselves.

Fourthly, If this be true, Why have the godliest Christians and most zealous
 Ministers of God in all Ages, Churches & invoked the Lawes, Power, Sword of Chri-
 stian Magistrates, Kings, Emperours, against obstinate Hereticks Schismatics,
 Blasphemers, as I have already proved? Yea, why did the Christians in the
 Primitive Church & desire the Heathen Emperour Aurelianus, to suppress, ex-
 pel, correct that grosse insolent lascivious Heretick Paulus Samosatenus; which
 he accordingly did at their request? and why doe the ^b Confessions, the ^c Di-
 vines of all reformed Churches beyond the Seas, incite the Christian Ma-
 gistrates to such a restraint and punishment of Hereticks, Schismatics,
 Blasphemers, asserting it to be not onely lawfull, but their duty too, or why do some
 Independents confesse as much in print? Either therefore all these were
 utterly mistaken (as I am sure they were not) or Master Dells Objection is
 absurd, without any shadow of solid reason; the rather, because this forcible
 conversion of Hereticks and Schismatics takes not place, but when
 and where the Gospel of peace is first preached, tendred, refused; and ad-
 monitions, with other milder means, will not prevaile.

Fifthly, if forcible Reformation and violence be contrary to the Gospel
 of peace, then surely Warres and Armes are much more, and utterly un-
 lawfully, as Master Dells Masters, the ^c Anabaptists hold; why then is Ma-
 ster Dell a Chaplaine to and in our Army, and so many of his Saints, men
 of Warre and Blood, of Force and Violence? They must either renounce
 their Military employments now, or Master Dells Divinity, unless they love
 the gaine of the Warres, more then the truth of Master Dells Gospel of Peace.

Sixtly, if the Gospel be a Gospel of peace, then it is most just the Chri-
 stian Magistrate should forcibly suppress and punish Hereticks, Schisma-
 tics, Blasphemers and Seducers, who make Warre against the Truth and
 Peace of the Gospel, with corporall and externall punishments, to pre-
 serve the Peace, Unity and purity of the Gospel, when other meanes will
 not doe it; else we shall neither enjoy the peace nor purity of the Gospel,
 nor so much as outward peace: Hence Paul commands us to pray for Kings
 and all in Authority, that under them we may live quiet and PEACEABLE
 LIVES, in all godlinesse and honesty: As therefore those who break the civill
 Peace of the King and State, may be justly indicted, imprisoned and bound to the
 Peace with sufficient sureties (and sometimes to the good behaviour) for it, by
 the Justices of Peace and Civill Magistrate, to preserve peace for the future: so
 doublelesse

doubtlesse may those Hereticks, Schismaticks, Seducers, Blasphemers, who disturb the peace of the Church and Gospel, be thus indicted and punished by them, to preserve the peace of the Church, the purty of the Gospel, and our Kingdomes peace thereby.

The eleventh Objection is this, *The Faithfull, the Subjects of Christs Kingdome, are a willing people, Psal. 110. 3. Thy people shall be willing in the day of thy power: The very day of Christs power, is not to force men against their wils, but to make them willing; and what needs outward power to force a people, made willing by the Spirit &c. And to back this reason, he (to shew his great reading) quotes the sayings of Melancton, in Psal. 110. 3. of Polanus, Tyndall, Luther and Ulrichus ab Hutten, in his Margin, to this effect: That Religion is not to be forced with the Sword, nor Nations or People to be compelled to the Faith of Christ; but mens hearts are to be drawne to the true Faith of Christ, through preaching the Word of Truth: Adding a saying of Luther (but not citing the place, nor yet of any of his other Authors, but Melancton onely, having taken them upon hearsay from others) *Christus non voluit vi & igne, cogere homines ad fidem; And, Hereticos comburere, est contra voluntatem spiritus.* His other sentences touching the Popes worldly pompous Kingdome, are like his arguments, nothing to purpose; and he prefaceth his quotations thus; So you may see the Truth, though it hath BUT FEW FOLLOWERS, yet it hath SOME.*

To this I answer, first, That Hereticks, Blasphemers, false Teachers and obstinate Schismaticks, are no true Subjects of Christs Kingdome, nor yet of the number of those people, who shall be willing in the day of his power; and I hope Master Dell dares not averre nor stile them such, since they are a most obstinate, refractory, seditious, stiffe-necked and rebellious Generation, opposite and contradictory to the Faith & Truth of Christ, as is cleer by the 1 Tim. 4. 1, 2, 3. 2 Tim. 3. 1, 2, 3, 4, 5. 2 Pet. 2. 2, &c. Jude 5. to 20. Tit. 3. 11, 12. Rom. 16. 17, 18. Whence Bernard asserts of them, * *Sermo est mori magis eligunt quam converti: Therefore this Text and Argument cannot be applied to them; and is but this in substance:*

The Faithfull, (the proper Subjects of Christs Kingdome) are a willing people, and so need no forcing.

Ergo, Obstinate Hereticks, Schismaticks, false Teachers, Blasphemers (who are neither Gods people, nor a willing people) ought not to be punished with corporall or capitall punishments by the civill Magistrate, for their heresies, schismes, errors, blasphemies; and Hereticks ought not to be burnt.

He might as well argue; boyes that are willing to goe to Schoole and learne their bookes, need not the rod to force them to it; Ergo, boyes that loyter and are unwilling to goe to School or learne their bookes, need not the rod, and must not be whipped. A meer loytering School-boyes argument, which deserves no answer but the whip.

Secondly, no Church nor Congregation in the World consisteth onely

only or altogether of Saints & willing people, but the major part of them at least, are unregenerate, backward and unwilling to all that is good; yea need upon occasion, by Lawes and outward punishments, to be constrained to resort to the publick Ordinances, and to forsake their errors, Schismes: To argue therefore against the coercive power of the Magistrate in Christian Churches, States, because the Saints are a willing people, when as the most in the Church are neither Saints nor willing, and so need coercive Lawes and punishments, is most absurd: Yet this is Master Dels Logick and Divinity: He might as well conclude, the Saints are a willing people, Ergo, the Magistrate cannot punish Traytors, Murderers, Thieves, Rebels, as; Ergo, they must not punish Hereticks, Schismaticks, Blasphemers.

Thirdly, Admit the Saints to be a willing people, and that some of them may be Hereticks and Schismaticks for a time, will it therefore follow, they need no Rods nor Spurs to stir them up, reduce or punish them, when, or where they are dull, negligent, erroneous, or doe amisse? Will you argue thus? Christs Saints and People are a willing People: Ergo, they need not the exhortations, preaching, or Instructions of Ministers, of private Christians, the exercise of holy duties, the threats and terrors of the Law or Gospel, to excite and stirre them up: Doe not the willingest Christians, Saints, need Rods, Spurs sometimes, as well as others, to quicken them? and doth not God himselfe many times scourge, excite them with outward and inward afflictions and chastisements of all sorts, to make them mend their pace? Did Master Dels, or his Saints in the Army, never spur nor whip their free Horses? or doe Schoolmasters never whip or fercula their Schollars that are most forwards to learne, because they are willing Boyes? No verily: Their willingnesse at one time, will not excuse their deadnesse, dulnesse, lazinesse, much lesse their deviations at another: Therefore though people be willing, yet they need the Spurs, the Rods both of the Minister and Magistrate to quicken, or mend their speed, and reclaime them when they erre, & *ubi desinit Theologus ibi incipit Magistratus*, where the Ministry of the Word will not quicken and reforme Christians, the Magistrates Sword must doe it: Christs Power must make men willing when his Mercy and Gospel will not prevaile; and Magistrates Lawes duly executed must bring Hereticks, Schismaticks, Blasphemers to conformity, and our publick Congregations, when the Word will not effect it: And thus much for his Argument.

Fourthly, for his Authorities cited, That Faith is not to be forced, but perswaded by the Word; I grant it true in the Authors sence, but not in Master Dels: For first, their meaning is not like his, that Christian Magistrates may not by coercive Lawes and punishments suppress obstinate seducing Idolaters, Heretickes, false Teachers, Schismaticks or Blasphemers, which they all unanimously grant they may (as I shall prove anon;) and is farre different from enforcing faith: but their sence is, that Christian Princes or Magistrates ought not by force of warre or outward violence to compell Pagan Nations, who never embraced the Gosple, to baptisme and externall profession

*Tripart. Hist
1.7.6.1.

after the death of *Julian* the *Apostate*, by the unanimous consent of all the *Captaines*, *Souldiers* and *People*, he absolutely refused the *Empire*, saying, * *That he being a Christian would not be an Emperour over Infidels*: But all were so well pleased with his election, that they presently cryed out, *We are Christians*, and for his sake those who were not so before, resolved to become *Christians*, upon condition he would accept the *Empire*; which thereupon he accepted: Whereupon they all turned *Christians*, and were by this meanes converted to the *Christian Faith*.

Secondly, I answer, that the *Christian Magistrates* may indirectly force men to beleeve in some sense, though not directly: As first, they may enforce them to the outward *Ordinances* and meanes of *Faith*, even against their wils (as *Parents* sometime enforce their children, and *Masters* their *Servants*) which by *Gods blessing* may work a right faith and beliefe in them by degrees, and convert them from their errors: *Forced Phyfick* and *Portions* oft times recover sick men; and so doe forced *Ordinances* and *Conferences*, hereticall, erroneous, sinfull men, as experience manifests. Secondly, they may punish them for their obstinate heresies, schismes, blasphemies, and thereby bring them to a serious examination, reformation and discovery of them, and so to a kind of forcible embracing of the *Truth*, as *Christ* in a manner thus enforced *Paul* by outward violence, to give over his persecution, and beleeve, professe the *Gospel*, *Acts 9*. Thirdly, tempests at *Sea*, enforce *Mariners* and *Merchants* to be willing to cast all their *Goods* over-board, to save their lives; so may *Magistrates penalties* enforce *Hereticks*, *Schismaticks*, *Blasphemers* to cast away their errors, heresies, schisms, Blasphemies, and imbrace the *Truth*, to save their lives, liberties or estates. Fourthly, an erroneous judgment and conscience in matters of *Religion*, is not a *Christians* rule of faith or practice, but the word of *God*, the rule both of his judgment, Conscience, faith, life: and it is a * dangerous, yea, damnable sin, for any to be led by such a conscience or judgment contrary to the word: If then a *Christian Magistrate* be fully perswaded in his conscience upon just grounds, that he is bound to restraints and punish such *Hereticks*, *Schismaticks*, *Blasphemers*, who follow their owne erroneous judgments and consciences against the expresse word of *God*, even to force them from their heresies, errors, schismes, blasphemies, when no other meanes will prevaile, he may no doubt inflict corporall punishments on them (as *God* himselfe oft times inflicts outward judgments) thereby to enforce them to renounce their Heresies and embrace the *Truth*. And in this sence, *Religion* may lawfully be forced, as will appeare by the examples of *Manasseh*, *Nebuchadnezzar*, and *Paul*, forecited; and by *Deut. 13. 11. Jude. 23.* *God* himselfe appointing this externall violence, as a meanes to work an inward change both of faith and life, as I have largely proved.

* See Master
Rutherfurds
Due Right of
Presbyteries,
p. 378, &c.

Thirdly, there is an affirmative and a negative beliefe: Though the *Magistrate* cannot enforce men by externall punishments or censures to beleeve; yet he may enforce them to come to the publick *Ordinances*, whereby they may be allured, converted to the true *Faith*; and like

wife

wise negatively enforce or restrain them, nor to preach, nor yet to spread or propagate such an heresie, error, blasphemy or schismaticall opinion, contrary to the Scripture, and Religion established, to the infection of others, the disturbance of the publick peace, and dishonour of Christian Religion; yea, punish such who shall transgresse, because this is no forcing of mens faith, consciences, to beleeve or embrace what faith the Magistrate please; but a restraining or punishing of an heresie, error, blasphemy, which is a sinne in the party who is guilty of it, punishable by the Magistrate, and a sinne in him to connive at, or tolerate the same without punishment. Excellent to this purpose is that passage of *Augustine*, recorded, approved by *Gratian*, Canonists and Schoolmen. *Petilian* the Donatist, objected against the Princes by whom he and other Hereticks were punished, these two things among others, which Master *Dell* and his Saints now object: First, *That no man is to be compelled to faith*: Secondly, *That good manners are not to be chosen, but onely out of Free-will*; and produceth all, or most of Master *Dell*'s Arguments and Texts alleaged in his Sermon (which is but meer old Donatisme and Petilianisme, varnished over with the title of *New Gospel-light*) to prove, that Magistrates ought not to enforce any man to beleeve against his conscience, or punish any Heretick or Schismaticks with corporall or capitall punishments, as being contrary to, and not warranted by the Gospel. To which this Father gives this grave answer, most suitable to our present times, and to Master *Dell* and his new Donatists, who make the selfe same Objections, which I shall recite more fully, because it will very much conduce to discover the practises, and stop the mouths of our Opposites.

2 See *August.*
contr. *lit. Peti-*
liani, lib. 2. c.
83, 84.
b *Gratian* qu:
23. dist. 4. sect.
ad *fidem*.]

Petilianus dixit, Quod si cogi per legem aliquem vel ad bona licuisset, vos ipse miserari a nobis ad fidem purissimam cogi debuistis: Sed absit, absit à nostra conscientia, ut ad nostram fidem aliquem compellamus. Augustinus respondit, Ad fidem quidem nullus est cogendus invitus, sed per severitatem, imo & per misericordiam Dei, tribulationum flagellis solet perfidia castigari; Nunquid quia mores optimi libertate voluntatis eligantur, ideo mores pessimi non legis integritate puniuntur? Sed tamen male vivendi ultrix disciplina præpostera est, nisi cum præcedens bene vivenda doctrina contemnitur: Si quæ igitur adversus vos leges constitutæ sunt, non eis benefacere cogimini, sed malefacere prohibimini; non benefacere nemo potest nisi elegerit, nisi amaverit, quod est in libera voluntate: Timor autem pœnarum, & si nondum habet delectationem bonæ conscientiæ, saltem intra claustra cogitationis coercet malam cupiditatem. Qui tamen adversas leges constituerunt, quibus vestra comprimatur audacia, nonne hi de quibus dicit Apostolus, i Quia non sine causa gladium portant, ministri Dei enim sunt, vindices in iram ei qui male agit. Tota igitur questio est, utrum vos non male agatis, quibus tanti Schismatis sacrilegium objecit orbis terrarum? Cujus questionis discussione neglecta, superflua loquimini, & cum vivatis ut latrones, mori vos jactatis ut Martyres: Et quia vel ipsas leges, vel invidiam formidatis, vel ad resistendum impares essis, non dico adversus tot homines, sed adversus tot gentes catholicas, etiam de mansuetudine

i Rom. 13. 2.

Nota.

etudine gloriamini, quod ad vestram partem neminem cogitis: Ille modo & milvus cum pullos rapere territus non potuerit, columbum se nominat; Ubi enim potuistis, & non fecistis? Unde ostenditis quid plura faceretis si possetis. Quando Julianus vobis, Christi invidens paci, basilicam reddidit unitatis, quæ strages a vobis factæ sunt, quando vobiscum apertis templis suis etiam demones exultabant? Quis commemorare sufficiat bello Firmiano quæ à vobis Rogatus Maurus pertulerit? Ipsa Mauritania Casariensis interrogetur, & tempora Gildonianæ, quia unus collega vester familiarissimus amicusque fuit: Viderint Maximinianistæ quæ senserint, nam Felicianum ipsum qui modo vobiscum est, si ad iusiurandum liceret provocare, utrum ad communionem vestram non invitum Optatus redire compulerit, movere labia non auderet, præsertim si ejus faciem populus Musticanus intueretur, quo teste illa tunc facta sunt. Sed isti, ut dixi, viderint quæ passi fuerint ab eis cum quibus Rogatus talia fecerant: Ipsa catholica Ecclesia solidata Principibus catholicis imperantibus terra marique armatis turbis, ab Optato atrociter & hostiliter oppugnata est; quæ res coegit tunc primo adversus vos allegari apud vicarium Seranum, legem illam de decem libris auri, quas vestrum adhuc nullus pendit, & nos crudelitatis arguitis. Quid autem mansuetius sit quàm ut coercitione damnorum tanta vestra scelera mulcerentur? Quis autem possit enarrare omnia illa quæ nulla amicitia, iudicum aut aliquarum potestatum, quisque ubi potuerit, in locis vestris propria dominatione committatis? Quis vestrum in plebibus vestris non aliquid tale vel a prioribus comperit, vel ipse expertus est? Nonne apud Hipponem ubi ego sum, non desunt qui meminerint Faustinum vestrum regni sui tempore præcepisse, quoniam catholicorum ibi paucitas erat, ut nullus eis panem coqueret, ita ut cujusdam diaconi nostri furnarius inquilinus domini sui panem incoctum objecerit, eique nulla exilii lege damnato, communicationem non solum in Civitate Romana, sed etiam in patria sua; nec solum in patria sua, sed etiam in domo sua negaverit? Quid nuper, quod ipse adhuc lugeo, nomen Crispinus vester Chalamentis cum emisisset possessionem, & hoc emphyteuticam, non dubitavit in fando catholicorum Imperatorum, quorum legibus nec in Civitatibus esse, iussu estis, uno terroris impetu octoginta firmè animas miserabili gemitu mulcantes; rebaptizando submergere? Quibus autem nisi talibus factis etiam ipsas de quibus conquerimini leges, longè quidem infra meritum sceleris vestri, sed tamen qualescunque ferri coegistis? An vero violentis incursums Circumcellionum vestrorum, qui sub vestro principatu furiosis agminibus militant, non ex agris undique pellebantur, nisi vos obsides in civitatibus teneremus, qui quoque modo ipsam faciem publicam & honestorum reprehensionem, & si non timore vel pudore ferre nolitis; Noli ergo dicere absit, absit a nostra conscientia, ut ad nostram fidem aliquem compellamus; * Facitis enim ubi potestis, ubi autem non facitis non potestis, siue legum, siue invidiæ timore, siue resistentium multitudine. Petilianus dixit; Dicit enim Dominus Christus, nemo venit ad me nisi quem Pater attraxerit: Cur autem vos non liberum arbitrium unicuique sequi permittitis, cum ipse Dominus Deus liberum arbitrium dederit hominibus, viam tamen justitiæ ostendens, ne quis forsitan nesciat depariter: Dixit enim; Posui-

ant.

The practice
of most of
our present
Sectaries and
Independents
where they
have any pow-
er.
Joan. 6.
Eccles. 1. 6.

ante te bonum & malum, posui ante te ignem & aquam, quod volueris elige. Ex quo vos arbitrio mieri, vobis non aquam, sed ignem potius elegistis; sed tamen inquit, bonum elige ut vtras; qui non vis bonum eligere, vivere te nolle damna-
 sti. August. respondit; Si tibi proponam questionem, quomodo Deus Pater attrahat ad Filium homines, quos in libero dimisit arbitrio? fortassis eam difficile soluturus es. quo modo enim attrahit, si demittit ut quis quod voluerit eligat? & tamen utramque verum est, sed intellectu hoc penetrare pauci valent: Sicut ergo fieri potest ut quos in libero dimisit arbitrio, attrahat tamen ad filium Pater: Sic fieri potest, vel ea quæ legum coercitionibus admonentur, non auferant liberum arbitrium: Quicquid enim homo durum & molestum patitur, admonetur ut cogitet quare patitur; ut si pro justitia se pati perspexerit, id ipsum bonum eligat pro justitia talia sustinere: Si autem viderit iniquitatem esse pro qua patitur, se infructuosissime laborare atque cruciari considerans, mutet in melius voluntatem, simulque careat & molestia sterili & ipsa iniquitate. Multo itaque gravius & perniciosius nocitura, & vos cum aliquid adversus vos reges constituunt admoneri vos credite, ut cogiteris quare ista patiamini: Si propter justitiam, revera illi persecutores vestri sunt, vos autem beati, qui persecutionem passi propter justitiam, possidebitis regnum Craorum: Si autem propter iniquitatem Schismatis vestri, quid illi nisi correctores vestri sunt, vos autem sicut cæci diverforum scelerum rei, qui penas legibus pendunt profecto infelices, & in hoc seculo & in futuro? Nemo ergo vobis aufert liberum arbitrium, sed vos diligenter attendite quid potius eligatis, utrum correcti vivere in pace, an in malicia perseverantes, falsi Martyrii nomine vera supplicia sustinere. Sic vos autem aliquor, quali vero aliquid dignum vestra iniquitate patiamini, cum tanta indigna faciatis, & in tanta impunitate regnetis, ita furiosi, ut per Dei laudes amplius quam buccina bellica terreatis: ita columniosi, ut etiam spontanea vestrorum præcepta nostris persecutionibus imputetis. Dicit etiam quasi præceptor benignissimus, qui non vis bonum eligere, vivere te nolle damna-
 sti. Ita vero si criminationibus vestris crederemus, benigne viveremus, quia Dei promissionibus credimus, vivere nos nolle damnamus: Bene ut arbitror, meministi quid Apostoli dixerint Judæis, quando Christum prædicare prohibebantur, hoc ergo & nos dicimus ut respondeatis nobis, utrum Deo magis obediendum sit an hominibus? Traditores, iburificatores, persecutores, verba sunt hominum contra homines: In sola delectione Donati remansit Christus; verba sunt hominum extollentium gloriam hominis sub nomine Christi, ut gloria minuatur ipsius Christi: Scriptum est enim, In lata gente gloria regis, in diminutione autem populi contritio principis: hæc ergo verba sunt hominum. At illa in Evangelio, quia oportebat Christum pati, & resurgere tertia die, & prædicare in nomine ejus penitentiam & remissionem peccatorum in omnes gentes, incipientibus ab Hierusalem; Verba sunt Christi commendantis gloriam, quam accepit a Patre in latitudine regni sui. Utrique auditis, hanc Ecclesie communionem potius eligimus, & hominum verbis Christi verba preponimus. Rogo quis est qui nos dicat mala elegisse, nisi qui Christum dicit mala docuisse. Petilianus dixit, Numquid igitur eadem vel scismaticis Deus jussit inferri? Qui si omnino præciperit

Nota.

Math. 6.

Nota.

A. 3. 5.

Prov. 14.

Lucas 14

9 Luc. 24.
Act. 1.

Cap. 86.

7 Gen. 4.

5 Prov. 21.

Exod. 32.

Cap. 88.

9 Matth. 23.
Master Del's
very Objecti-
on in Termi-
nis, p. 24.

nos deberetis occidi. ab aliquibus Scythiis ac Barbaris, non tamen à Christianis. Aug. respondit, Vestri Circumcelliones quiescant & nolo nos de Barbaris terras: Utrum autem Schismatici nos simus an vos, nec ego nec tu, sed Christus interrogetur ut iudicet Ecclesiam suam: Lege ergo Evangelium, & respondeat tibi, In Hierusalē & in totam Judæam & Samariam usque in totam terram: Quisquis igitur in Ecclesia non invenitur, jam non interrogetur, sed aut correctus convertatur, aut correptus non conquatur. Petilianus dixit, Neque enim Dominus humanum sanguine aliquando letatus est, cum occisorem fratris Cain in vita carnificem voluerit permanere. Aug. respondit, Si occisori fratris Deus voluit inferri mortem, sed relinqui carnifici vitam: vide ne forte hoc sit, quod cum regis cor in manu Dei sit, unde multas ad vos commonendos & corripiendos leges ipse constituit; nulla tamen lex regia vos iussit occidi, fortasse propterea, ut quicumque vestrum in pertinaci sacrilegii furoris aura perfluit, Cain parricidæ supplicio & vita carnifice crucientur: Legimus enim multos à famulo Dei Moyse misericorditer interfectos: Nam in eo quod pro eorum nefario sacrilegio sic est dominum deprecatus, ut diceret, Domine si dimittis illis peccatum, dimitte; sin autem, dele me de libro tuo: ineffabilis ejus charitas & misericordia satis apparet. Nunquid ergo subito crudelis effectus est, cum de monte descendens tot milia juberet occidi? Considerate itaque ne forte majore iracundia Dei per tot leges adversus vos latas a nullo imperatore iussi fueritis occidi; an illi fratricidæ, non vos comparandos putatis? Petilianus dixit. Ecce vobis plenissimum documentum, quod Christiano non liceat in perniciem aliena versari, disciplina autem hujus initium Petro est constitutum, sicut scriptum est percussit Petrus auriculam servi principis judæorum, & abscidit eam: Dixitque illi Jesus; Petre reconde gladium tuum in theca; Qui enim gladio utitur, gladio morietur. Aug. respondit, Cur ergo non tali voce compescetis arma Circumcellionum? An præter Evangelium vos loqui arbitremini, si dixeritis qui fuste usus fuerit, fuste morietur? Date ergo veniam, quia nec illos à quibus Marculum præcipitatum esse querimini, potuerint prohibere majores nostri; neque enim scriptum est in Evangelio, qui aliquem præcipitaverit, præcipitatio morietur: Atque utinam sicut illa vel falsa vel transacta sunt, sic istorum lingua cessaret: quanquam fortasse irascimini, quod legionibus vestris, & non legibus, saltem verbis subtrahimus armaturam, quia eas totis seviris fustibus dicimus. Vetus quippe ista eorum malitia fuit, nunc autem nimium profecerunt; Nam inter vinolenta convivia, & cum feminis maritos non habentibus, liberam comitandi, vagandi, jocandi, bibendi, provocandi licentiam, non solum fustes tornare, sed etiam ferrum vibrare & fundas circumagere didicerunt. Sed cur eis non dicam quo animo dico, & illi accipiant, noverit Deus: Insani, gladius Petri quamvis adhuc carnali motu animi; tamen pro Christi corpore in corpus persecutoris exertus est; vestra vero arma adversus Christum divisa sunt: corpus vero cui illi caput est. Ipse hoc dixit & ascendit in Cælum, quo eum furor Judæorum sequi non potuit, & membra ejus in corpore quod ascendens commendavit furor vester oppugnat. Pro istis membris adversus vos seviunt, & vobis resistunt quicumque in catholica parva adhuc fidei, eo animo sunt, quo tunc Petrus fuit, cum ferrum pro Christo nomine strinxit.

Sed

Sed multum interest inter vestram persecutionem & istorum: Vos similes estis servo sacerdotis Iudeorum, quia servientes principibus vestris adversus Ecclesiam Catholicam, id est, adversus Christi corpus armamini: isti autem tales sunt, quales tum Petrus fuit, qui pro Christi corpore, id est, pro Ecclesia, etiam corporaliter pugnavit: sed si ipsis dicitur quod quiescant, sicut Petro, tunc dictum est, quanto magis vobis dicendum est, ut hæretico errore deposito ad ea membra pertineatis, pro quibus illi sic dimicant: Sed læsi à talibus etiam nos odistis, & tanquam aures dexteræ perdidideritis, Christum sedentem ad Patris dexteram non auditis. This and much more, *Augustine* against *Petilian* and his seditious *Donatists*.

I shall onely add two or three more passages of his concerning the cruelty and outrages of the *Anabaptist* *Donatists*, and their *Circumcelliones*, which suit very patly with the practises of our *Anabaptists* and *Sectaries*, who now cry out of persecution: in his *Opus Brevic. Collat. cum Donatistis*, c. 4. He writes thus of them: *Calce & aceto humanos oculos persecuti sunt; in quo scelere Diabolum crudelitate pervicerunt, qui hoc in sancti vixi carne non fecit, quem in potestatem acceperat effligendum: Oculos in hominibus persecuti sunt, ne cruciantur videndo vulnera sua, quæ ab iis per totum corpus acceperunt. Sed cum iterum Donatistæ persecutiones quas patiuntur exaggerantes, suorum quasdam mortes commemorarent in oppido Bagaiensi, responsum est a Catholicis, eos hoc passos esse, dum eorum violentiæ resisteretur, quam & iudici inferre conati sunt; in illo oppido commemoraverunt Catholici ab eis horrenda esse commissa, ita ut etiam basilica esset incensa, & in ignem missi codices sancti, &c.* And *Contra Donatistas post Collationem* c. 17. He proceeds thus: *Quanta mala nostris fecerint furiosissimi Clerici & Circumcelliones partis Donati, nostris & vos: Incense sunt Ecclesie, missi in flammæ codices sancti, incense etiam private domus, rapti homines de sedibus suis, & omnibus quæ ablati aut perditis, ipsi etiam inextricabili & exæcati. Nec ab homicidio potuit temperari, quamvis sit mitius huic luci mori, quam istam lucem auferre viventi: Nec tamen nostros ideo iustificamus quia talia perpetrati sunt, sed quia pro Christiana veritate, pro Christi pace, pro Ecclesie veritate perpetrati sunt. Illi autem sub tam multis, sub tam severis legibus, & sub tanta Ecclesie Catholice, quam Dominus ei tribuit potestate, quid tale patiuntur? Si quando enim morte mulcantur, aut ipsi se accidunt, aut eorum cruenta violentiæ dum resistitur occiduntur, non pro communionem partis Donati, nec pro errore sacrilegi scismatis, sed pro apertissimis facinoribus suis, & sceleribus suis, quæ more latronum, rantes furore & crudelitate committunt. Pro parte autem Donati vix aliquid tale patiuntur, quale *Cecilianum* *Dorato* instans esse passum esse dixerunt: Aut ergo persecutio non omnis iniusta est, aut non est persecutio dicenda cum iusta est; qua propter aut persecutionem partis Donati patitur iustam, aut persecutionem non patitur, quia patitur iuste: Non autem iuste passus est *Cecilianus*, quia innocens probatus & absolutus est: quod quidem illi negaverunt, & potius ab Imperatore damnatum esse dixerunt, & ideo majores suos maximeque *Donatum*, à se tanta predicatione laudatum, *Ceciliano* persecutionem fecisse confessi sunt: Illum autem convictum atque damnatum probare minimè poterunt, imo etiam, quod nos dicebamus eum esse absolutum atque iurgatum, ipsi quoque multa contra seipsum legendo firmanunt, & tamen liberum arbitrium sibi ab Imperatore concessum esse jactant: Vili itaque & confusi, id sibi etiam*

v Operum
Tom. 7. pars
1. p. 709.

x Tom. 7. pars
1. p. 742.

7 Tom. 7. pars
1 p 328 329
330.

nunc flagitabant debere concedi, quod Majores eorum Ceciliano non concedebant, quem
fio apud Imperatorem accusarunt, quem illis accusationibus ab Imperatore damnatum isti
etiam mentiri voluerunt. Si voluntas libera unicuique tribuenda est, Ceciliano prius tribu-
ere ut, si hac non homini judici permittenda sed Deo potius dimittenda sunt, Cecilianus
prius apud Imperatorem non accusaretur. And Contra Cresconium Gr. l. 3. c. 42, 43,
44. Deinde commemorans etiam nescio quos mortuos, quos a nostris dicis occisos, tanquam
in campo facundie sepositus latissime exaggerans locum in quo vobis videmus similes
Martyrum, cum quotidie vestrorum incredibilia patiamur facta clericorum & Cir-
cumcellionum, multo pejora quam quorumlibet latronum atque prædonum: Namque
horrendis armati cujusque generis telis, terribiliter vagando, non dico Ecclesiasticam,
sed ipsam humanam quietem pacemque perturbant, nocturni aggressionibus clericorum
catholicorum, invasas domos nudas atque inanes derelinquunt; ipsos etiam raptos &
fustibus tussas, ferroque concisos, semivivos objiciunt: Insuper novo & antebac in-
audito sceleris genere, oculis eorum calcem aceto permixto infundentes & infercientes
quos evellere compendio poterunt, excruciare amplius eligunt, quam citius excæcare:
Nam primo tantam calce ad hoc facinus utebantur, sed postea quum illos quibus hoc
fecerant, cito salutem reparasse dedicerant, acetum addiderunt.

Omitto ante quanta commisserunt, quibus easdem leges adversus errorem vestrum
constitui coegerunt, magis Christiana mansuetudine temperatas, quam in tam magna
scelera congruo vigore exertas: Episcopus Catholicus a Thubursuccubure Servus no-
mine, cum invasum à vestris locum repeterit, & utriusque partis procuratores procon-
sulate præstolarentur examen, repente sibi in oppido memorato vestris armatis irruen-
tibus vix vivus aufugit. A quibus pater ejus Presbyter, etate & moribus gravis,
eq. cæde qua vehementer afflictus est, post dies paucos excessit à vita. Maximinianus
Episcopus Catholicus, Bagaiensis, dicta inter partes judicaria sententia, basilicam
fundi Calmanensis evicerat, quam vestri illicito aliquando usurpaverant: Hanc cum
jure perspicuo retineret, in ea ipsa sub altari quo confugerat, eodem supra se fracto,
ejusque lignis aliisque fustibus, ferro etiam crudeliter cæsus, totum illum locum san-
guine opplevit: Acceperat autem & grande vulnus in inguine, unde cruore largius
effluente, continuo moretur, nisi major eorum crudelitas per occultam Dei miseri-
cordiam profuisset: Nam cum membris ex ea parte nudatis semivivus insuper pronus-
que traheretur, exundantes venas latentur pulvis obstruxit: Inde nostrorum manibus
cum ferretur, rursus illis irruentibus violenter extortus est, graviusque multatus,
& de excelsa turri noctu præcipitatus, subter cinerem stercoreis molliter jacebat, post
sensum amissum, vix extremum spiritum tenens: Ibi enim transiens quidam pauper
invenit, cum ventris exonerandi causa ad eum divertisset locum. Agnovit autem, tum
pavidus, suam conjugem accersit, quam procul verocundia dimoverat lucernam feren-
tem: Tunc eum ambo perexerunt domum, vel miserando, vel aliquid etiam locelli
superando, cum sive vivus, sive mortuus, collectus tamen nostris ostenderetur. Quid
plura? Mirabili curatione sanatus est, vivit, plures in ejus corpore cicatrices quam
membra numerantur. Hinc ad transmarinas terras occidit, a vestris fama nunciave-
rat, & ejus facinoris inhumanitas, graviusque indignitas, quaquam versum audiri possit,
dolore horrendo cuncta commoverat: Quo posteaquam ipse secutus est, recentissima ci-
catrices ejus fama illud mendacium defenderunt: nam quem tui inficientes vix crederent
vivum, non temere illa jactasse videbatur occisum: Hic cum illic invenisset collegam

Thu-

*Thubursuccensem, quem paulo ante commemoravi, & alios nonnullos similia vel non
multo inferiora perpeffos, nec eis ad propria revertendi ulla facultas patere videtur,
& quia Circumcellionum vestrorum favor nobis horrendum præbens vestris clericis
satellitium usquequaque odiosissime innotuit, ingens in vos conflagravit invidia, atque
inde factum est, ut & præterite omnes contra vos leges excitarentur, & istæ conde-
rentur novæ: Quarum tamen universalium severitas, si vestrorum inordinate ac
sine ulla lege gressanti sevitiæ compararetur, mira lenitas appellanda est. His enim
magis tanta potestate accepta mansuetudo catholica commendatur, quam heretica im-
munitas plebitur: imò vero in nos, cedes, rapinas, incendia, cecitates, excogitando,
minando, excercendo, audacius & insanius debacchatur: Hec enim ego compe-
morare volui, per quæ factum est, ut his nostris temporibus adversus vos ita import-
alia statuta ferrentur, imò adversus errorem vestrum. Nam quid jam si sapiat potest
esse probabilius? Cæterum omnia quæ vel anteriorum literis didici, vel ipse cognovi,
seve facta vestrorum, quibus ab initio divisionis vestræ usque ad hoc tempus Ecclesi-
am catholicam persecuti sunt, si velim retexere, quæ lingua, quæ stilus, quantum
tempus ociumque sufficiat?*

This was then, and ever since hath been the turbulent carriage of sedi-
tious Sectaries against orthodox Christians, who yet cry out for Liberty
of Conscience, and complaine of persecution; as you may read more
largely in the 48, 50, 159, to 173. Epistles of *Augustine*.

These passages of this most judicious Father, in defence of the Magistrates
coercive power and punishments, in case of obstinate Heresie and Schisme,
punctuall to the point in question, will overballance all Master Dell's extra-
vagant Authorities quoted to the contrary, and discover whence he and
his Saints derived all their Objections and practises against it, almost ver-
batim, even from the schismaticall Donatists.

But yet to requite Master Dell, and shew his Jesuiticall juggling, as well
in perverting Authors as Scriptures, pointblank against their meaning: I
shall annex some further testimonies to Saint *Augustines*. Not to mention
any other passages of his, and other Ancients, collected together by
Gratian, *Caus. 23. qu. 1, 4, 5.* where you may at large peruse them for
your satisfaction: I shall begin with *Malacton* himselfe, the first Author
Master Dell quotes for him, who writes thus, point-blank against him, in
his *Loci Communes*, (dedicated to our King *HENRY the VIII.*) Printed
Anno 1536. De Magistratibus Civilibus, & Dignitate rerum Politicarum; where
thus he writes against the Anabaptists, and Master Dell's fanatick Saints.

Plurimum prodest in Ecclesia, extare veram & firmam doctrinam de
Magistratibus, & dignitate rerum civilium: Sæpe enim exorti sunt Fanatici
spiritus, qui negarunt Christianis licere Magistratus gerere, exercere ju-
dicia, tenere imperia, denique interdixerunt Christianis omnia officia ci-
vilis vitæ, rerum dominia, contractus damnaverunt & leges politicas,
quibus nunc Respublica utitur: Et hæc deliramenta non solum pepererunt sedi-
tiones, sed etiam obscuraverunt Evangelium, offuderunt enim caliginem animis,
quasi Christiana justitia ac vita sit externa, ac nova quedam Barbarica politia, dis-
similis aliis politiis humaniter constitutis: Ita confuderunt disc imen vitæ spi-
ritualis

ritualis & politica. Adversus hujusmodi errores muniendi sunt animi, & vera doctrina de discrimine spiritualis & politicae vitae tenenda, & dignitas rerum politicarum illustranda est: Id prodest ad pietatem & ad publicam tranquillitatem, &c. Celsus, Julianus & plerique alii criminantur Evangelium, quod cum prohibeat vindictam, dissipat Respub. tollat jura belli, judicia, pœnas, confirmat latrocinia, concedat licentiam & impunitatem omnium scelerum. Et hac criminatione mirum in modum deformarunt Evangelium: Tenere igitur Christianos oportet, quid de dignitate civilium rerum sentiendum sit, & ut liberent Evangelium hac injustissima & venenatissima calumnia, & ut suas conscientias de Officiis civilibus recte instituunt: Christianis licet Magistratus & imperia tenere, judicia exercere, pœnas constituere juxta præfentes leges & mores: Magistratum custodem esse, non solum secundæ tabulæ, sed etiam primæ tabulæ, quod attinet ad externam disciplinam. Hoc est, ad Magistratum pertinet, non solum cura tuendæ tranquillitatis civium, seu depellendi injurias, corporum & fortunarum, sed etiam discipline in Religione retinendæ: Esi enim pœnæ corporales non efficiunt in animis pietatem, tamen Magistratus prohibere debet disciplinæ causa externas Contumelias Religionis, manifestam Idololatriam, Blasphemias, impia dogmata, perjuria; sicut vidimus IN OMNIBUS REBUS PUBLICIS mediocriter constitutis, severis exemplis punitas esse violationes Religionum & perjuria. Et probat hanc sententiam ipse decalogus: Non vanè usurpabis nomen Dei; & David inquit, Et nunc Reges intelligite, erudimini qui judicatis terram, servite Domino, &c. Prov. 25. Aufer impietatem de vultu Regis, & firmabitur justitiæ thronus ejus: Regum autem Glorificantes me Glorificabo, & contemnentes me, reddam contemplos. Et ne sumam ab Israelitico Rege exemplum, Nabogodonozor & Darius Medus apud Danielelem, proponunt edicta, in quibus vetant dici blasphemiam contra Deum populi Israel. Postremò Paulus inquit, Lex est posita implis, prophanis; hoc est, ut coerceat homines, ne facta impia ac sacrilega designent: Cum autem Magistratus sit custos legis ac disciplinæ, profecto maximè hanc partem tueri debet, de externa reverentia erga Deum, quod hæc pars maximè ad disciplinam pertinet, sicut constat omnium gentium legibus puniri perjuria. Deinde hoc consideret sapiens Magistratus, unum hunc principalem finem esse, quare ad societatem conditi sunt homines, ut videlicet innotescat Deus ac gloriificetur: Homo eum ideo conditus est, ut in eo illucescat Deus; ut eum pateat; necessaria igitur fuit societas, in qua alii docerent alios de Deo. Constat autem Magistratum custodem esse humanæ societatis: debet igitur finem societatis præcipuum etiam tueri: Et si vere volumus judicare hujus Pulcherrimi operis inter homines antistes, & digne obitus esse debet, ut optima disciplina homines ad Religionem assuefiant; ut Deus glorificetur. Hic finis præcipue sapienti Gubernatori Reipub. propositus esse debet: Ita v. e. erunt beata Respub. Deus enim vicissim defendet eam, omnibus bonis cumulabit, sicut dixit. Glorificantes me Glorificabo; DEBENT IGITUR MAGISTRATUS prohibere impios cultus, & impiorum Dogmatum professionem, DEBENT PUNIRE HÆRETICOS: Sed viderint ut recte judicent, nec fiant Ministri alienæ crudelitatis aut impietatis: Pertinet autem cognitio doctrinæ ad Ecclesiam; hoc

Nota.

2 Exod. 10.

a Psal. 2.

b Dan. 3.

c 1 Tim. 1.

est ad pios & rectè doctos : Estque Ecclesiæ membrum ipse etiam Magistratus, quem decet suis oculis maximè videre. In hanc sententiam extant vetusti Canones de Synodis & de cognitione doctrinæ. Deus ornat Reges honore nominis sui. Ego dixi dii estis ; Videlicet, Ut sciant sui officii esse, ut res divinas intelligant, & conservant in mundo Religionem, Justitiam, Pacem, Disciplinam.

By this it is most evident, that Melancton is point-blank against that opinion for which Master Dell hath quoted him ; and for the Magistrates restraining, punishing Hereticks and all false worship.

Master Dels next quotation (in respect of Antiquity) is Luther ; That Hereticks are not to be burned ; but cites not the place. Indeed Luther being newly come out of Popery, and beholding their cruelty, in burning godly orthodox Christians, under the name of Hereticks, professeth his opinion to be against making any Law to put Hereticks to death, for feare it should be wrested against those that were no Hereticks, to their prejudice : But yet he would have Hereticks banished ; his words are these, in answer to this question. *An liceat Magistratui occidere Pseudoprophetas ? Ego ad iudicium sanguinis TARDUS SUM, Ubi etiam MERITUM abundat ; cum in hac causa terret me exempli sequela quam in Papistis, & Antiebristis, & in Judeis videmus ; ubi cum statutum fuisset Pseudoprophetas & Judeos occidi, successu temporis factum est, ut non nisi sancti propheta & innocentes trucidarentur, auctoritate ejus statuti : quo impii Magistratus freti, Pseudoprophetas & Hereticos fecerunt quosque voluerint. Idem secuturnum esse timeo & apud nostros, si semel uno exempla probari possint, seductores esse occidendos, cum adhuc apud Papistas videamus hujus statuti innocentem sanguinem fundi pro nocente : Quare nullo modo possum admittere falsos doctores occidi, SATIS EST EOS RELEGARI, quæ pœna si posteri abuti volunt, mitius tamen peccabunt, & sibi tantum nocebunt.* From which words it is evident : First, that Luther doth not simply condemne the putting of Hereticks to death, as unlawfull in it self, but admits it lawfull, and that they may deserve it : Secondly, That he speaks here onely of making a Law to put false Teachers and Seducers to death in that Age, which he would by no means then admit of ; not because it was unlawfull, but onely inconvenient at that time, because it was likely to be abused to the shedding of innocent blood : Thirdly, that he held it then sufficient and lawfull too, for the Magistrates to banish Seducers and false Teachers, though they did not put them actually to death, and by consequence held it lawfull, to imprison and fine them too, which is lesse then banishment : yea, him selfe writ to *c Methusum* very earnestly, that they should not receive the Anabaptists into their City, but expell them : so that Luther is point blank against Master Dell in that for which he cites him ; and for the Magistrates suppressing, banishing Hereticks, Schismaticks and Seducers.

I shall onely adde one passage more out of Luther (point-blank against Master Dels opinion and quotation)* *Postil. Dominica 5. post Epiphaniam, 44.* where interpreting the Parable of the Tares, he resolves, That the Masters bidding the servants, let them alone till the Harvest, doth neither inhibit nor re-

c Sleidan l. 5.
Master Bai-
lies Anabap-
tist. p. 5.
f See Beza De
Hereticis a
Magistratu pu-
niendis, Ope-
rum vol. 1.
p. 148. where
part of the
words are ci-
ted.

Nota.

Hereticks and other Malefactors with Ecclesiastical and temporall punishments; concluding thence in these words: *Reliquæ deinde sunt scandalorum cobertiones pœnes Magistratum, familiarum Patres, morum & disciplina Magistros: Hic aded nulla phobibitio in suis officiis per hoc Christi præceptum statuitur, ut sunt hæc omnia cum acerimis & sanctissimis mandatis à Deo sancita. Custodit Magistratus non solum secundam, verum OMNIUM MAXIME PRIMAM TABULAM: Idolatrias, Blasphemias, Execrationes, Perjuria, ULCISCITUR. Oblatas HÆRETICAS, & in verum Deum contumeliosas, atque alias eas BLASPHEMIAS DOCENTES, COERCET. Præfractiones atque in errore pertexendo contumaciores, & cum certissimo plurimum EXITIO, pro malificiis PUNIENDOS SUSCIPIT. Nequæ cum hoc facit Zizania evellere intelligitur, quia cum suo officio in eo regno non versatur, ubi interdictum de evellendis Zizaniis positum est: Non igitur Magistratus, & hujus generis vitæ corporalis Officiales, quum se scandalis perturbantibus tranquillitatem, severa vindicatione obviam eunt, Zizania contra Christi mentem evellant, sed id præstant pro parte sua, ut verum Triticum in Ecclesia à Zizaniis non prorsus opprimatur, & Regnum Dei in terris non penitus exolescat.*

Master Dell therefore might in wisdom have forborne his extravagant quotation of Luther (whose Works I presume he never read) which he tells us not where we may find among his numerous Volumes, as he should have done.

His next quotation is a saying of Augustine out of Polanus; but Augustine is most expresse against him, not onely in his forecited passages against Petilian and the Donatists, but in many others mustred up by Gratian, *Causa 23. quest. 4, & 5.* where you may read them at large; to which I shall adde this sentence in his 166. Epistle; where thus he writes: *To whom is it said, Serve the Lord with feare? &c. is it not to Kings? But how doe Kings serve the Lord with feare, unlesse it be by a religious severity, in prohibiting those things which are done against the Lords commands? For every one of them serves him after one manner as he is a man, after another manner as he is a King: For as he is a man, he serves him in living faithfully; but as he is a King, he serves him in prescribing Lawes, commanding just things, and prohibiting the contrary, CONVENIENTI RIGORE SANCIENDO, with convenient rigor and punishments; like as Hezekiah served him in destroying Idols, Groves and high Places: And as Josiah served him. And he addes this as a Reason elsewhere;*

f Fferrat. in
Psal. 44.
g Cont. Epist.
Pammenian,
lib. 1. Tom. 7.
pars 1. p. 20.
to 26.
h August. cont.
Prim. Gau-
dentii Epist.
lib. 1. cap. 1.
p. 410.

f Rex a Regendo dicitur, non autem regat QUI NON CORRIGIT: If Kings then be Kings of Hereticks, Schismatics, Seducers, Blasphemers, Idolaters or Apostates, as well as of other Subjects, they must not onely governe, but correct and punish them too, by enacting severe Lawes against them, and seeing them put in execution; as this Father informes us, That the devout and orthodox & Roman Emperours, not onely made severe Lawes against the Donatists and other Hereticks and Schismatics, but likewise appointed *h* Dulcitius, an eminent Colonel and Notary, to take speciall care to see them executed. Unhappy Master Dell to quote such a Father out of Polanus, who is so pointblank against him, and refutes his whole

whole Sermon in his Books against the Epistles of *Parmenianus* and *Petilian* the Donatist, *Contra Cresconium Gram.* & Epist. 48, 50, as those who will take paines to peruse them may discover. I with this learned Gentleman hereafter to peruse and read Authors well, before he quotes them, and not to take them upon trust, with such disadvantage to his cause and reputation too.

His other Authority out of Master Tyndal, is nothing to purpose, who speaks not one word against Kings, Emperours or Christian Magistrates suppressing or punishing Hereticks, and reforming the Church by outward power; but writes expressly for it, at large, in his Books Intituled, **THE OBEEDIENCE OF A CHRISTIAN MAN, and THE PRACTICE OF POPISH PRELATES**, where he asserts; *That Kings and Magistrates are in the room of God; that their Lawes are Gods Lawes, and that they are to punish all evill doers, and any sinne that shall break out; and though he blameth them for being the Popes and Bishops Hangmen in his dayes, to kill whomsoever they condemned without more adoe, upon their bare commandment, without any due examination of the cause: Yet if upon their owne examination they shall find them to be Hereticks or false Teachers, he then admits, They may justly punish and put them to death without any danger: exciting both Emperours and Kings to reforme the Church, and to shake off the Yoke both of the Pope and Prelates, together with their Canons, Superstitions and false Doctrines: So that this holy Martyr oppugnes Master Dels opinion for which he quotes him, and speaks only of forcing Infidels by the Sword of war, without instruction, to embrace the Christian Faith.*

His last Authority is *Ulricus Ab Hutten*, but where his words are recorded he makes no mention, neither are they pertinent, being spoken to a Councell of Priests (as he confesseth) not to Christian Magistrates; which yet he foisteth into his English translation of his words, not being in the Latin: Surely as this foisting is unsufferable, so I must acquaint Master Dell, that this quotation was very unhappy and fatall to his cause, since this very Author hath written a Book, **DE SCHISMATE EXTINGUENDO**, wherein he refutes that very opinion he would fasten on him.

And thus I have given you a briefe account of Master Dels great skill and learning in mistaking, mis-citing, perverting every Author which he cites, whose opinions are all pointblank against him, asserting the Magistrates legislative, coercive and punitive power, in case of Heresie, Schisme, Seduction, Blasphemy, and all kind of open sinne against God, or the Churches peace, as well as against men; so as I beleve his owne words [*I have ACCIDENTALLY MET WITH THEM*] to be true, ; *Page 31. In* *the Margin* *intimating he never read the Authors themselves; and I hope I have substantially retorted them to his shame. He addes there, What the Truth (he meanes the Anti-magistraticall, Anabaptistickall errors he maintaines, against the Magistrates coercive power) hath but a few Followers; which implies, that what I assert hath many: And indeed it hath so, as many as would*

would overswell this Treatise; I shall therefore give you onely a touch of some.

Not to mention all the godly Emperours, Kings, Princes, Republicks Lawes and Proceedings, forecited to this purpose, recorded, approved by all Ecclesiasticall Histories, Divines, Ancient and Moderne, as Eusebius, Socrates Scholasticus, Theodoret, Sozomen, Ruffinus, Cassiodor, Evagrius, Nicephorus Callistus, the Century Writers, Augustine, Epist. 48, 50. and Contr. Lit. Petilianus, lib. 2. Peter Martyr, Aretius, Pareus, Beza, and others: Nor yet to remember the sayings of Hierom, Ambrose, and other Ancients, to this purpose, collected by Gratian, Causa 23. qu. 4, 5; where you may peruse them at large, nor of Julius Firmicus Maternus, or Chrysostome in Rom. 13. nor the saying of Amphilocheus to the Emperour Theodosius, recorded by Theodoret, Eccles. Hist. l. 5. c. 16. nor of Ambrose to the Emperour Valentinian the second, registred by Theodoret, l. 5. c. 13. or that in his Epist. 12. & 33. and his Oratio ad Auxentium; nor Chrysostomes notable speech to the Emperour Arcadius, recorded by Symeon Metaphrastes, Ribadeniera, and others in his life, against the toleration, and for the suppression of Hereticks, all pertinent to my purpose.

I shall give onely a briefe account of some Fathers Opinions in this point to satisfie the learned Readers.

a Scorpius ad-
versus Gnosti-
cos.

a Tertullian, who lived in the dayes of Persecution, is of this opinion, That Hereticks ought to be forced and punished: *Ad Officium Hereticos COMPELLI, non illici dignum est; duritia, vincenda est, non suadenda, &c.*

b De Exhorta-
tione Marty-
rum, c. 5.

Saint b Cyprian, who was himselfe a Martyr, writes thus: *Sic Idololatrie indignatur Deus, ut præceperit etiam eos interfici, qui sacrificare & servire Idolis suaserint, in Deut. 13. & iterum loquitur Dominus & dicit, nec Civitati parcendum etiam si universa consenserit ad Idololatriam: Cujus præcepti, & rigoris memor c Mathathias enterfecit eum, qui ad aram sacrificaturus accesserat: Quod si ante adventum Christi circa Deum colendum & idola spernenda, hæc præcepta servata sunt, QUANTO MAGIS post adventum Christi servanda sunt, &c.*

c Math. 2.

d Comment. in
Cant. lib. Deu.
Tom. 2. p. 112
e Contr. Har.
lib. 8. Tom. 1.
Har. 66.

Et cum ille passus sit pro alienis peccatis, multo magis pro peccatis suis pati unumquemque debere? From which place Jacobus Pamelius in his Annotations on this Chapter, Annot. 27. and Bellarmin de Laicis, l. 3. c. 21. inferre the lawfulness of putting, not onely Idolaters, but Hereticks also to death, under the Gospel; and good reason for it, if we beleieve d Rhabanus Maurus, f Caroch. Myst.

f Caroch. Myst.

g Niceph. Ec-
cles. Hist. l. 6.
c. 31, 32.

e Epiphanius, f Cyrill of Hierusalem, and g Others, record and approve the punishment of Manes the Heretick, who had his skin fleed off from his body, and then was cast unto and devoured of Dogs.

h Apologia ad-
vers. Ruffinum
c. 3.

i Adversus
Pelagianos ad
Josphontem,
c. 2.

Saint h Jerom records and approves the edicts of the Christian Empe-
rour: *Quæ de Alexandria & Egypto Origenistas pelli jubent*; and against Priscillian the Heretick: *Qui & SECVLI GLADIO, & totius Orbis Auctoritate DAMNATUS EST*: And in his Commentary on Galat. 5. I would they were cut off that trouble you; he writes thus: *Certe nullam puto in veteri Lege tam truce[m], tam cruentam in aliquos esse sententiam, quam utinam ab-*

scindantur

scindantur qui vos perturbant. Si putant sibi hoc prodesse, non solum circumcidentur, sed etiam abscindantur; si enim expoliatio membri proficit, multo magis ablatio, (with whom Primasius and Claudius Altisiodorensis concur in terminis, in cap. 5. Epist. ad Galat.

† Saint Chrysostome, though he seems unwilling to have all Hereticks slain and put to death, Si enim morte plebarentur Heretici, atrox profectio & irreconciliabile bellum universo terrarum Orbi esset inferendum: their multitude being then so great, dispersed over the whole world; yet he addes even from the Parable of the Tares it selfe: Non autem prohibet Dominus, quo minus impudentem Hæreticorum audaciam SUFFRENEMUS SIMUL ET RESTRINGAMUS; verum ne vita prorsus exigamus: And in his 47. Homily on Matthew, he addes; Non prohibet autem Conciliabula Hæreticorum DISPARARE, ora obfluere, libertatem loquendi concidere, verum interficere & trucidare: With whom Euthymius accords, both of them agreeing, That where Hereticks, who are Tares, cannot be plucked up without danger to the Wheat, and orthodox Christians, there they are not to be put to death: but when and where there is no such danger, they may be executed even by death.

* This was Saint Augustines opinion at first, That Hereticks were not to be punished by the Secular Magistrate, nor put to death: which upon consideration he afterwards retracted, asserting at last, Both the utility and necessity of the Magistrates Coercive power, and justifying the Emperours Lawes and proceedings against them, even unto death it selfe; though to avoid the censure of cruelty, he sometimes intercedes for the sparing of the lives even of those Hereticall Donatists, who had murdered some Orthodox Ministers and Christians, out of a misguided Zeale, and offered violence to their persons, houses, goods, and most justly deserved to be punished with death, as he acknowledgeth. This opinion of his, even for the capitall punishing of Hereticks, you may read at large in his lib. 1. contr. Epist. Parmeniani, cap. 7. & Tract. 11. in Joan. where he thus writes: Mirantur quia commoventur potestates Christiane adversus detestandos dissipatores Ecclesie: Si non ergo moverentur, & quomodo redderent rationem de imperio suo, &c. Videtis qualia faciunt, & qualia patiuntur; occidunt animas, affliguntur in corpore, sempeternas mortes faciunt, ET TEMPORALES SE PERPETI QUERVUNTUR, &c.

† Cyrill, Archbishop of Alexandria, in his 20. Epistle determines thus concerning the Heresie and Blasphemy of the Heretick Nestorius, to whom he held it very dangerous to indulge a Pardon: Si enim qui vel unam contra Religiosissimos & Christi amantissimos Reges nostros blasphemiam ausus fuerit emittere vocem, merito quam leges præcipientes patitur indignationem, NON MAGIS IMPIUS ILLE EAM PATIETUR, qui sacrum nostrum mysterium universum subvertit, & Dispensationem e medio tollit, quam sanctus & benignus Dei Patris unigenitus Filius homo fieri dignatus, nostri gratia adimplevit, ut nos omnes servaret, & Universum Orbem qui sub Calo est, & a peccatis, & morte liberaret.

† Eusebius highly commends and approves the Edict of Constantine the Great, De Vita Constantini, l. 3. c. 61, 62, 63, 64.

Great, For suppressing and punishing Hereticks, relating the good effects thereof. Theodor. 1, Eccle. Hist. lib. 5. c. 2, 3. l. 1. c. 10. Evagrius, Eccle. Hist. l. 4. c. 11. Ruffinus, Eccle. Hist. l. 1. c. 19. Sozomenus, Eccle. Hist. l. 3. c. 17. l. 7. c. 6, 24. Nicophorus, Eccle. Hist. l. 8. c. 18. l. 11. c. 30. l. 12. c. 15. l. 13. c. 17. Socrates Scholasticus, Eccle. Hist. l. 5. c. 7. & Cassiodor, in his Tripartita Hist. l. 1. c. 7. l. 2. c. 20. l. 4. c. 13, 18, 21, 26, 31, 32, 33. l. 7. c. 4, 9. l. 9. c. 2, 4, 10, 19, 21, 27, 28, 30, 33, 36. l. 10. c. 27. l. 11. c. 3. 17. Record and commend the Lawes and Proceedings of Christian Emperours, both against Hereticks, Pagans, and Schismatics, as well for their punishment, as suppression.

* Epist. 93. see Hieron. Contr. Pelagianos, c. 2.

* Priscillian himself being put to death by the Emperor Maximus, & from de Viris Illustribus

n Leo the first, writes thus of the Priscillianists and their Hereſie: Merito Patres nostri, sub quorum temporibus hæresis hæc nefanda prorupit, per totum mundum instantè egere, ut impius furor ab Universa Ecclesia pelleretur: Quando etiam mundi Principes in hæc sacrilegam amentiam detestati sunt, ut Authorem ejus ac plerisque discipulos **LEGUM PUBLICARUM* ENSE PROSTERNERENT**: Videbant enim omnem curam honestatis auferri, simulque divinum jus humanumque subverti, si hujusmodi hominibus **US QUAM VIVERECUM TALI PROFESSIONE LICUISSET**. Et profuit diu ista districtio Ecclesie lenitati; quæ etsi sacerdotali contenta judicio, cruentas refugit ultiones, severis tamen Christianorum Principum constitutionibus adjuvatur; dum ad spirituale nonnunquam recurrant remedium, qui timent corporale supplicium: Ex quo autem multas provincias hostilis occupavit irruptio, & executionem legum tempestates interdixere bellorum, ex quo inter sacerdotes Dei difficiles comæatus, & rari cæperunt esse conventus, invenit ob publicam perturbationem secreta perfidia libertatem, & ad multarum mentium subversionem his malis est incitata, quibus debuit esse correctæ; (our present deplorable condition;) And Epist. 7. He commends Theodosius the Emperour, for his most pious care of Christian Religion; Ne scilicet in populo Dei aut Schismata, aut Hæreses, aut ulla scandala convalescant.

a Synus Concil. Tom. 2. Pa- melius Auctor. 72. in Epist. 62. Cypriani.

o Dioscorus, Archbishop of Alexandria (though accused and convicted of Hereſie, and deprived for it) in the great general Council of Calcedon, A.D. 451. cried out, **FLAMMIS DIGNOS HÆRETICOS**, That Hereticks were worthy to be burned. Non solum pœnis dignus est Eutiches, sed lenis.

Opiatus Milivetanus, lib. 3. contr. Parmenianum; compares the deed of one Macarius, who had **SLAINE AND PUT TO DEATH** Maradus and Donatus two Donatists, to the deeds of Moses, Phyneas and Elijah, In slaying Idolaters and Idolatrous false Prophets; justifying this Action of his.

Athanasius, Epist. ad Orthodoxos, determines thus, Si Acatius, Ludoxius, Patrophilus, cum talia Scribant, qui quæ non **OMNI SUPPLICIO DIGNI FVERINT**.

Joannes Maxentius, Resp. ad Homisd. Papam, writes thus: Nisi Christum Filium Dei qui pro nobis passus est in carne unum esse, & sancta & individua Trinitate fuerit confessus Dioscorus, **PELAGO MANCIPETUR**.

Gregory the first, Epist. l. 1. Epist. 72, to Gennadius, and in other places, quoted.

quoted by Gratian, *Causa* 23. qu. 3, 4. and Bernard, *Sermo* 66. *Super Cantica*, approve, The suppressing and punishing of Hereticks by the Sword of the Civill Magistrate, and by death it selfe, though Bernard dislikes the Peoples tumultuous murdering of them in a malicious manner; which Justine Martyr in his Epistle *Ad Zenam & Serenum*; Ambrose Epist. 27. *Severus Sulpitius*, *sacrae Hist.* l. 2. & Ivo Carnotensis *Decret.* pars 13. c. 114. doe likewise censure; and Augustine justly blamed in the seditious Donatists and their Circumcellioes, in his forecited passages, & Epist. 48. Yea, this Gregory the first thanks Gennadius, for making warre upon obstinate Hereticks, exhorting him to proceed therein.

Our owne venerable Beda, in *Cantica Cant.* l. 3. Tom. 4. Col. 748. on these words; *Capite nobis vulpes pusillas, quæ demoliantur vineas*: determines, That all men ought in their severall places to take and beat down Hereticks and Schismaticks: *Ne fidem Ecclesie, quam unam esse oportet, eorum infestatio scinderet, atque in partes distraberet*: And he addes, that he saith not *capite vobis, sed nobis vulpes pusillas*, for this reason; *Ut hinc magis OMNES qui possent, ad debellandam, sive corrigendam Hæreticorum nequitiam accenderet, quo eo sibi in hoc agendo deservire monstraret, suamque esse vineam, quam defenderet ipse, laborum piorum remuneratione ostenderet.* And Ecclesiasticæ *Hist. Gentis Anglorum*, l. 1. c. 21. He both records and approves the Banishment of the Pelagians out of this our Island for their Heresie.

Isidor. *Hispalensis* (quoted by Gratian, *Causa* 23. qu. 5.) writes thus: *Principes seculi nonnunquam intra Ecclesiam potestatis adeptæ culmina tenent, ut per eandem potestatem Disciplinam Ecclesiasticam muniant; ut quod non prævalent sacerdotes efficere per doctrine sermonem, potestas hoc imperet per disciplinæ terrorem. Sæpe per Regnum terrenum cæleste Regnum proficit; ut qui intra positi contra fidem & disciplinam agunt, rigore Principum conterantur, ipsamque disciplinam quam utilitas Ecclesie exercere non prævalet, cervicibus superborum & potestas Principalis imponat, &c.*

I could adde many more || Authorities of the Ancients to this purpose, but these may suffice, and you may read more of them in Gratian, *Causa* 23.

|| Ambrose de Officiis, lib. 1. Epist. 29.

Obj. 2. I.

If any object the Authority of Hilary, *Contra Auxentium*, who forced men with armed power to embrace his Arrian opinions, whereupon he thus checks him for it: *Ac primum misereri licet nostræ Aetatis laborem & præsentium temporum stultas opiniones congemiscere, quibus patrocinari Dea humana creduntur, & ad iuvendam Christi Ecclesiam, ambitione seculari laboratur. Ac nunc probo dolor divinam fidem suffragia terrena commendant, inopsque virtutis sue Christus, dum ambitu nomini suæ conciliatur, arguitur: Terret exiliis & carceribus Ecclesia, credique sibi cogit, quæ exiliis & carceribus credita est, &c.*

I answer with Marsilius Patavinus, who objects it; that this was objected onely against Auxentius the Arrian, as he was a Bishop or Clergy man, to whom no coercive power, nor eternall forcible Authority by the Sword, belonged; or against the Clergies own using of eternall force; not

Answer. Defensoris Pacis, pars 2. c. 9.

q Set. Cal. Tri-
partit. Hist.
1.7.c.30.1.8.c.
2, &c.

against the Coercive and Penall power of Christian Princes and Magistrates, to whom God hath given the Sword of Justice, to suppress and punish Hereticks, as well as other Malefactors. So as it makes nothing at all against my conclusion; and yeelds our Opposites (who never cite it) but this Nonsequitur. The Arrian Bishops are justly blamed by Hilary for using externall force, violence, prisons, banishments, death, against the Orthodox Christians, guilty of no Heresie nor Schisme; Therefore godly Emperours, Princes, Magistrates, are blame-worthy for imprisoning, restraining, or putting obstinate dangerous Hereticks to death. All other Objections from the Fathers, will receive the selfe same Answer.

Object. 2.
r Surius Con-
cil. Tom. 2. p.
734. Gratian
Distinct. 45.
Two Carnoten-
si, Decretal,
pars 13. c. 94.
Rom. 9.
Gen. 3.

If any object in the second place, the 56. Canon of the fourth Council of Toledo, prohibiting the Enforcing of the Jewes to beleve by externall violence, in these words; *De Judæis autem præcepit sancta Synodus, nemini deinceps ad credendum VIM INFERRI*, Cui enim vult Deus miseretur & quæm vult indurat. *Non enim tales INVITI SALVANDI SUNT, SED VOLENTES*, *Ut integra sit forma justitiæ: Sicut enim homo propria arbitrii voluntate serpenti obediens perit, sic vocante gratia Dei, propriæ mentis conversione homo quisque credendo salvatur: Ut NON VI, sed liberâ arbitrii voluntate & convertantur, SUADENDI SUNT, NON IMPELLENDI. Qui autem jampridem ad Christianitatem venire coacti sunt, sicut factum est temporibus Religiosissimi Principis Sisebutis, quia jam constat eos Sacramentis divinis sociatos, & Baptismi gratiam suscepisse, chrismate Unctos esse, & corporis Domini & Sanguinis extitisse participes, oportet, ut fidei etiam, quam VI, VEL NECESSITATE SUSCIPERUNT, TENERE COGANTUR, ne nomen Domini Blasphemetur, & fides quam susceperunt, vilis & contemptibilis habeatur.*

Ans.

I answer, first, that the forcing and compelling of professed Jewes, who never embraced Christianity, to beleve and be baptized against their wils, is one thing; and the punishing of Hereticks, who have once embraced, professed the Christian Faith, and revolted from its sincerity, another thing; therefore this Councils prohibiting the former, doth no wayes impeach the lawfulnessse of the later: The one being an enforcement of an unbeliever; the other, a punishment of a wilfull misbeliever. Secondly, it is one thing to enforce Jewes to come to the outward Ordinances, and Meanes of conversion, that they may beleve, or be converted by them; and another thing to enforce them to beleve and be baptized before instruction or conviction: the first this Council condemnes not, but the later onely. Thirdly, there is a difference between compelling Jewes by outward violence to be baptized, and professe themselves to be Christians; and restraining of them by Lawes and punishments, not to exercise their Jewish Ceremonies, or vent their Blasphemies in contempt of Christ, and Christian Religion; the later whereof this very Council restraines, Can. 53, 60, 66. Fourthly, this very Canon informes us, that some Jewes were compelled to be baptized and embrace the Christian Religion in the

Raigne

Reigne of their most Religious Prince King *Sysubet*; and those having once embraced the Gospel, and received the Sacraments, though by coercion, are by like coercion to be enforced to persevere in this Profession, by the determination of this very Canon: Therefore by the selfe same reason, Hereticks who have once embraced the orthodox Faith, and revolt from it unto damnable Heresies, are by this Councils resolution, even by outward force and punishments to be compelled to renounce their errors, and persevere in the orthodox Faith they once embraced, professed; or else they may be justly punished by the civill Magistrate, least Gods name should be blasphemed, &c. Which is so far from making against, that it is a direct determination for me, especially if we consider the many penall, coercive Lawes made against the Jewes in *Spain*, about and soon after the time of this very Council, recorded at large by *Fredericus Lindebro-
gus*, where you may peruse them. Firstly, there is a wide difference between naturall borne Subjects, and meer Forraigners or Aliens who are no Subjects, but Sojourners in a Kingdom, as the Jewes were in *Spain*: A Prince may compell the one being his Subjects, and living under his Laws, to such things as he cannot in justice enforce the other. The King and State of *England* may compell all English, Scottish, Irish Subjects to repaire to our publick Assemblies, and to submit to that Church-government which shall be established by common consent in Parliament; but they cannot enforce a Jew, a Turk or Spaniard, who sojourn here as Factors, to make publick profession of our Religion, and submit to our Church-government; though they may restrain their open Idolatry and blasphemy. All which considered, there is nothing in this Canon, nor in any other ancient Council or Father that I have met with, which well understood, will any way contradict, but ratifie and confirme my Thesis; the contrary assertion being maintained onely by the schismaticall, hereticall *Donatists*, to uphold their faction in poynt of Thesis, though directly contradicted by their practise, as *Augustine* demonstrates, and *Optatus* too, who have largely refuted this their Anti-Magistraticall error in their forecited, and succeeding Passages.

*o Codex legum
Antiquarum;
Leges Wisigo-
thorum, l. 12.
Tit. 2.*

*x See Joan:
Malderus, de
Virtutibus
Theol. qu. 12.
de Hæresi Ar-
tic. 3. ment. 1.*

For popish Authors, besides the Canonists already cited, I could mention divers who assert and prove at large, That obstinate Hereticks and Blasphemers ought to be suppressed, imprisoned, banished, yea BURN'T OR PUT TO DEATH by the Christian Magistrate. I shall give you a Catalogue of some few of them instead of many; as namely, *Vincentius Spec. Moral. Pars. 3. l. 3. Disti. 31. De Hæresi. Gulielmus Peraltus, Summa Virtutum ac Vitiõrum Tom. 1. De Justitia, c. 7. p. 181, to 185. where this is largely proved. Alexander Fabricius, Destructorium Vitiõrum, pars 6. c. 4. & 39. Lucas Tuden-
sis, Adversus Albigenes, l. 3. c. 15, 16, 21, 22. who copiously asserts it. Reynerus, Contr. Waldenses, c. 9, 10. Antonius, Histor. pars 3. Tit. 19. c. 1. sect. 4. & Summa, pars 2. Tit. 12. c. 4. Joannis Fenus, in Matth. c. 13. & Sermo c. 3. in Domin. 5. post Epiphan. p. 465, 467. Thomas Wal-
densis, Doctr. Fidei, l. 2. Artic. 3. c. 71. Alexander Alensis, Sum. Theologie*

Col: 633,
634.

2 Tim. 2. 17.

pars 2. quest. 162, 163, 164. *Lupoldus*, De Zelo German. Veterum Principum, cap. 2. *Thomas Beauxamis*, Harmonia Evangelicæ, Tom. 2. f. 406. (where he proves, **The lawfulness of burning Hereticks from divers Scriptures, as a prologue to their eternal burning in Hell fire hereafter, if they repent not.**) *Alphonsus de Castro*, Adversus hæreses, l. 5. & de Punitioe hæret. *Jacobus Noguera*, de Ecclesia Christi ab Hæreticorum Conciliabulis Dinoscenda, l. 1, & 2. *Paulus Windeck*, de Extirpandis Hæreticis. *Paulus Grillandus*, De Hæreticis & eorum pœnis (where this is fully proved, **That Hereticks may and ought to be punished and put to death by the Civill Magistrate.**) *Conradus Brunus*, De Hæreticis, l. 3. c. 13. *John Fisher*, Bishop of Rochester, in his, Assertionis Lutheranae Confutatio, in his Works in folio, printed 1597. p. 272. & Artic. 33. Col. 633, to 644. where he largely argues the lawfulness of putting Hereticks to death, enforcing this argument among others, in these termes: * *Ego quidem Hæreticos & interimendos opinor, ubi non potes aliter servare gregem. Quam rem & Christus ipse mihi visus est aperte satis indicasse, quandoquidem & Lupos rapaces vocaverit eos: Quis enim rapacem Lupum (ubi gregi metuit suo) non prius occideret, quam sinat oves ab eo dilaniari? Quis esqui nescit, quod pastori charior esse debet suarum ovium salus, quam Luporum vita? Quamobrem cum alterutros perire necesse sit, hoc est, aut oves, aut lupos, quid stolidius cogitari potest, quam ita lupis indulgere, ut gregis tandem universi jacturam patiantur? Id quod haud dubiè futurum est, si lupos non interimis. Et ut istis lupis nemo prudens pastor ita favere debet, ut interim oves pereant; ita nec Hæreticis, parcendum est, ne per eorum violenta dogmata depereant orthodoxi. Nam Hæreticorum Sermo multo perniciosius est hominibus, quam ovibus lupo: Sermo enim eorum (ut ait & Paulus) velut cancer serpit: Quamobrem si liceat feras non arcere solum, sed etiam interimere, ne pecudibus noceant, MULTO MAGIS ID LICEBIT DE HÆRETICIS STATUERE, ne tantam animabus Christi sanguine redemptis inferant perniciem. Nam qua precor alia ratione Christiano gregi contra lupos istos succurrere poteris? Num censuris Ecclesie? Sed has ipsi contemnunt penitus: An amissionis rerum suarum metu? Sed isti nec Deum, nec homines metuant: An exilio? Sed per literas hæreses diffeminare suas poterunt: An carceribus? Sed custodes crebrò per illos corrupti sunt. Brevitèr, quocunque locorum vivere permittuntur, nunquam ab eorum dentibus intacta fuerit Christiani gregis salus; which he prosecutes at large. To him I shall subjoine *Sixtus Senensis*, Bibl. Sanctæ, lib. 6. Annot 60. in Matth. 13. 30. who proves from *Chrysostome*, *Augustine* and *Euthymius*, That Hereticks may be straine and pulled up as Tares, when it may be done without danger of plucking up the Wheat together with them. *Benedictus à Benedicto*, in his *Jacula Ecclesie Catholicæ*, ex Catholicorum, ipsisque Hæreticorum Assertionibus deprompta; Venetiis 1608. Hæresis 229, 230, 231. p. 133, to 137. (where he copiously proves, the lawfulness of Christian Magistrates restraining and putting Hereticks to death, from the Authorities of *Ambanasius*, *Joannis Maxentius*, *Augustine*, *Prosper*, the Councils of *Constantians* and *Lateran*, the Decrees of sundry Popes, and the testimonies even of *Luther*, *Euser*, *Manilius*, *Lesser*, *Joachimus Westphalus*, *Melancton*, *Bullinger*, *Brentius**

Brentius, Capito, Calvin and Beza:) Joannis Langhecrucius de Vita & Honestate
 Canonicorum, l. 5. c. 19. l. 6. c. 33. Jacobus Spielegius Lexicon. Jurid. verbo
 Hæreticus, Claudius Espenceus Comment. in Epist. 1. ad Tim. c. 1. verse
 ult. Gregorius de Valentia, Tom. 3. Disput. 1. qu. 10. Egidius de Coninck,
 Disput. 35. de Divortio, Dub. 4. p. 863. Suarez de Triplici virtute The-
 ologica, Disp. 18. sect. 2. The Rhemists in their Notes on the New Testa-
 ment, on Luke 9. sect. 5. and Apoc. 17. sect. 6. (whom neither Doctor
 Fulke, nor Master Cartwright contradict herein, in their Answers to these
 Notes) Justus Lipsius, lib. 4. Polit. c. 2. Rebuffus, Praxis Beneficiorum,
 pars 3. de modis amittendi Beneficia, p. 227, 228, &c. Meyser, l. 4. De
 Legibus, sect. 1. qu. 10, 11, 12. Per. Gregorius, de Republica, l. 12. c. 4.
 Jacobi Greferi, Prologomena in Scriptores, Contr. Sectam Waldensium,
 c. 6. Bibl. Patrum. Colon. Agrip. 1616. Tom. 13. p. 292, 293. Jacobus
 Pamelius Annotationes in Epist. 52. Cyprian Annot. 78. p. 63. & Annot.
 27. in Cypr. Exhortat. Martyrum, p. 198. Claudius de Sanctes, ad Edicta Ve-
 terum Principum: & de Methodo contra Sectas, Robert: Arboricensis, de Hæ-
 reticis coercendis; & de compescenda Hæreticorum petulantia. Arnoldus A-
 bertinus, Comment. Rubr. & C. 1. de Hæreticis: Joannis Nicholus Aulati de Hæ-
 reticis. Alanus adversus Hæreticos; Arnoldus Albertinus, de Hæreticia. Joannis
 Gerson, de Potestate circa materiam fidei Oper. Tom. 1. p. 422. to 430. Petri
 Berchorii Reductorium Morale super, Levit. ca. 6. p. 50, 51. Georgii Wicelii Ho-
 mil. Domini, 8. post Trinit. Sebastianus Barradius Comment. in Histor. &
 Harmon. Evang. Tom. 2. l. 2. c. 12. & Tom. 3. l. 3. c. 15. num. 46, 47, 48. Tho-
 mas Sanchez, Opus morale in precepta Decalogi, l. 2. c. 7. to 15. where this is
 largely handled. Florimond de Remond; L'Histoire de la Naissance, Progresse
 & Decadence de L'Herésie de ce Seicle; A Paris 1610. Michael Mauclem, de
 Monarchia Divina Ecclesiastica, & seculari Christiana: Lutetia Parisior.,
 1612. Secundæ partis, lib. 2. c. 12. l. 7. c. 8. Tertiæ partis, l. 3. c. 9, 10, 11. l. 8.
 c. 10, 11. Quartæ partis, l. 1. c. 9, 10. l. 5. c. 2. where this point is most co-
 piously handled, asserted; Marcus Antonius de Dominis, Archbishop of Spalato
 De Republica Ecclesiastica, l. 6. c. 4, 5, 6. (where this is amply proved) Jo-
 annes Malderus, de Virtutibus Theologicis, Antuerpiæ, 1616. quest. 12. de
 Hæresi Artic. 3. num. 1, De PENA MORTIS JUSTE HÆRETICIS
 IMPERENDA, A MAGISTRATU CIVILI, where he copiously con-
 firms this Tenent; affirming it, Certum esse secundum fidem, propter consen-
 sum Ecclesie & OMNIVM DOCTORVM, qui illud tanquam DOG-
 MA FIDEI TRADUNT: which he further prosecutes numb. 4. Marti-
 nus de Fano, De Brachio per Judicem Ecclesiast. implorando; Guadifalvus de
 villa Diego, de Hæreticis: Joan Nicholaus Arel. de Hæreticis Jac. Pamelius,
 de Religionibus diversis non permittendis: Joannes de Rias de Hæreticis:
 Damianus Roscius, de sectis Hæreticorum: & Confilia ad Hæreticorum con-
 fusionem; Zanchius Ugolinus de Hæreticis: Antonius Santorellus de Hæresi,
 Schismate & Apostasia: Franciscus Pegna de modo procedendi, Contr. In-
 quiritos de Hæresi: Amb. de Vignate de Hæresi: Francis: Zabarella de Scisma-
 tibus, Authoritate Imperiali tollendis, Ludovicus Cacerius, de Hæreticis. Tho-
 mas Aquinas

Aquinas 2 secundæ qu. 10. 8. o. qn. 11. 3. 1. 4. *Distinct.* 13. qu. 2. 3. *Quodl.* 10, 16. ob. determines thus: *Heretici possunt justè occidi in judicio seculari; incarcerari, & rebus suis privari, etiamsi alios non corrumpant, magis quàm rei criminis læsæ Magestatis, vel quàm evidentes falsam monetam:* his reason is, because they commit high Treason against the King of Heaven: And, quia *heresis subvertit fundamentum omnium bonorum: Ideo plus ceteris peccatis nocet, & est gravissimum omnium peccatum per se;* *Dominicus Bannes* in 2 secundæ S. Thom. qu. 11. Artic. 3, 4. and most other Schoolmen on the second part of *Aquinas*, assert the like.

And to name no more, Cardinal *Bellarmino* himself, de Pontific: Romano, l. 1. c. 2. & de Laicis, l. 3. c. 21, 22. largely and learnedly proves by Scriptures, Fathers, Protestant Writers, reasons, Imperial Laws, and other Authorities, That Magistrates may, yea ought to punish and put to death obstinate Hereticks: affirming, That this is the unanimous opinion of all Catholics: And he there solidly answers the severall objections made by Anabaptists and others to the contrary, quoting Master *Calvin*, *Arelius* and *Beza*, as concurring in opinion with him herein.

z See Master Fox his Acts and Movements, and the French Book of Martyrs.

But passing by all these with other Romanists, whose long continued daily practice in putting such to death, and burning them to ashes, whom they condemn for Hereticks, is an unanswerable evidence of their opinions herein; I shall proceed to the Resolutions and Judgments of such Protestant Churches in their publick Confessions, and learned Protestant Writers of chiefest note, from the very glimmerings of Reformation, untill this present, which will be more pondrous and prevailing with our Opposites and Sectaries (who commonly slight Antiquity, and now all other Authors, as of small or no account,) then any other Authorities; and I presume will give good satisfaction to all ingenuous Readers, but I am certaine will overballance Master *D.*s pretended Authorities to the contrary, and put him to perpetuall silence. I shall begin with the Confessions of whole reformed Protestant Churches, and then passe unto their Writers.

k Harmony of Confessions, sect. 12. p. 458 459, 460.

The Reformed Churches of *Helvetia*, in their former Confession, resolve thus: Seeing every Magistrate is of God, his chiefe Duty consisteth in this: To defend Religion from all blasphemy, and to promote and put it in practice as much as in him lieth; and to judge the people according to just and divine Lawes, and to punish the Offenders according to the quantity of the fault, in their Riches, Body or Life: Which things when he doth, he performeth a due worship or service to God. And in their later Confession, chap. 30. of Magistracy: The Magistrates chiefest duty is, to procure and maintaine peace and publick tranquillity, which doubtlesse he shall never doe more happily, then when he shall after the example of most holy Kings and Princes of the people of the Lord, advance the preaching of the Truth, and of the pure and sincere Faith, and shall ROOT OUT LIES, and all Superstition, with all Impiety and Idolatry, and shall defend the Church of God: For indeed we teach, that the care of Religion doth chiefly appertaine to the holy Magistrate; let him therefore hold the Word of God in his hands, and LOOK, THAT NOTHING

Note.

NOTHING BE TAUGHT CONTRARY THEREUNTO:

Let him draw forth the Sword of God against all Malefactors, Seditious persons, Thieves, Murderers, Oppressors, **BLASPHEMERS**, Perjured persons, and all those whom God hath commanded him to punish or execute; **LET HIM SUPPRESSED STUBBORNE HERETICKS**, (which are Hereticks indeed) who cease not **TO BLASPHEME** the Majesty of God, and to trouble the Church, yea and finally to destroy it. We condemn the **ANABAPTISTS**, who deny, that any man can justly be put to death by the Magistrate, &c.

The¹ Confession of the Reformed French Churches, resolves, That God *Ibid. p. 466.* hath therefore delivered the Sword into the hands of the Magistrates, that Offences may be punished; not onely those which are committed against the second Table, but also against the first, &c.

The² Confession of Belgia determines, That it is the duty of Kings, Princes *Ibid. p. 467.* and Magistrates, to endeavour, that the Ministry may be preserved, that all Idolatry and counterfeit worship of God may be cleane abolished, that the Kingdome of Antichrist may be overthrown, and the Kingdome of Christ enlarged, &c. Wherefore we condemn the Anabaptists, and all those troublesome spirits, which reject the higher Powers and Magistrates, overthrow all Lawes and Judgments, &c. which God hath appointed among men for honesties sake.

The³ Confessions of Auzurge, Basill, Bohemia, Scotland, determine the like, *Ibid. sect. 19.* as you may there read at large.

I shall adde some few forraigne Protestant Authors of chiefest note to these Confessions.

• *Marsilius Patavinus*, a great opposer of the Popes usurpations, asserts; • *Defensoris Pacis*, pars 2. c. 9, 10, 21. That although the Pope, Prelates and Clergy men, have no coercive power to compell Hereticks and Schismaticks to beleve and embrace the Gospel, or to constraint men to keep the precepts of the Evangelicall Law; Yet Christian Emperours, Kings, Magistrates, may by their humane Lawes punish, imprison, fine, banish Hereticks; and that it belongs properly to them, not to Priests, to punish and condemn Hereticks: concluding thus; *Quod poenas personales, atque reales Hereticis infligere, ipsasque exigere, sibi que applicare LICITE POSSUNT ET SOLEBANT PRINCIPES, sive legislatores humani.*

Henry Bullinger, *Decadis secundæ Sermo octavo*, propounding this Question then in controversy; *An liceat Magistratui sua potestate subjectos punire Religionis vel contemptus, vel contumeliis effectus gratia?* Resolves it thus: In personis igitur magna est diversitas: Sunt enim antesignani & duces pervicaces in erroribus, qui audaces sunt Hypocritæ, & loquaces, & idè ad seducendum appositissimi; ipsi quidem sine emendatione in propriam ruentem perniciem, & alios secum pertrahunt. Et hi **MODI OMNIBUS SUNT CONSIDERANDI**, veluti Ecclesiæ pestes, ne contagio ipsorum, seu cancer, serpat latius: Sunt deinde seducti quidem & damnati ab alijs qui errant, sed non malitia; nec pertinaciter, sed resipiscunt in tempore. Hos non oportet damnare protinus, sed orare Dominum ac sustinere, errantesque spiritu lenitatis & mansuetudinis erudire, donec redeant ad mentem meliorem. Porro in æternis Dogmatibus alia alijs sunt

sunt graviora: Sunt quædam adeo Blasphemia, impia & indigna, ut ne audiri quidē, ne dum ferri possint: sunt quæ directè & palam tendunt in subversionem Reipublicæ, nisi in tempore sopiantur. Oportet autem Scripturis & manifestata veritate evincere illa quæ in accusationem veniunt, esse talia qualia dicuntur: Comperta veritate & productis apertis testimonijs Scripturæ, licebit in blasphemos, & eversores Ecclesiæ Reipublicæque gravissimè avertadvertere, Sed levior mitiorque pœna decernatur contra errantes in levibus, non in capitalibus erroribus. Nam errant quidam, sed ita, ut horum erroribus Deus non blasphemetur & Ecclesia consistat. Denique ipsa non interturbatur Respublica. Ubi rursus occurrat illud Apostoli: Alter alterius onera portate. Item, infirmos in fide suscipite, non ad dijudicationes disceptationum. Jam & in supplicijs & pœnis inigne est discrimen. Pertinaciter errantes, & alios secum in errores abducere, inque erroribus retinere nitentes, blasphemij, & perturbatores, imò subversores Ecclesiarum, **JURE CÆDI POSSUNT**; ideo tamen capitis supplicio non protinus afficiendus est omnis qui errat. Et quæ minis & increpationibus curari possunt, non debent acerbioribus elui & puniri. Modus in re qualibet optimus est: Est & multa pecuniaria, sunt **CARCERES** in quos concludi possunt, ne alios inficiant qui veneno pravæ doctrinæ & fidei corrupti sunt. Sunt & **ALIÆ CORPORUM AFFLICTIONES**, quibus coercentur errantes, & ut minus noceant alijs sanis, ut & ipsi sanantur, non toti pereant, sed resipiscant. Sed timor Dei, æquitas & prudentia judicis intelliget ex circumstantiis quomodo punienda sunt in seductoribus & seductis prava dogmata, & pervicax rebellio, aut stolidæ & minimè malitiosa credulitas. Admonitio seria & diligens locum non habet in sceleribus nefandis jam perperratis, **ET GLADIO ELVENDIS**. Curret ergo Magistratus ut moneat in tempore monendos, &c. So be, so we conclude.

Martinus Bucerus in his *Book de Regno Christi*, (dedicated to our King Edward the VI.) hath many passages to this purpose, which you may there read at large, being the subject and scope of that Treatise: And in his *Enarrat. in Matth. c. 22.* he determineth thus: Ex eo quod apud omnes rectè sentientes pridem & modo habetur, neminem ad fidem aut religionem compellendum; quidam Officium Magistratus in totum à rebus fidei & Religionis alienum faciunt, nec quicquam illum circa eas vel constituere vel emendare, aut etiam vindicare permittunt, addicentes illum totum solis rebus sæculi: Isti verò parum pie de sublimi potestatis munere sentire videntur. Dii in Scripturis Vocantur Principes & Magistratus. Quare & Deos quosdam præstare inter homines debent eoque sic mala amoliri, & bona provehere, ut quæ inter bona præcipua sunt, in primis procuranda & tuenda curent, quæque mala nocentiora, præcipue studio avertant. Quam itaque Religio non solum bona aliâ universa excellat, sed sine ea nihil sit jam humano generi bonum & salutare, certè consequens erit, ut Magistratus **PRIMUM DEBEAT RELIGIONEM VINDICANDÆ ET CONSERVANDÆ CURAM IMPENDERE**, quandoquidem nihil potest populo accidere pestilentius quam si hæc illi violetur; nihil salutarius quam si facta recta persistat:

Hinc in legē Magistratibus perscrutandū præceptum fuit, ut præter consulto-
res, Levitas & Sacerdotes, ipsi quoque legem Dei studiose legerent, nimi-
rum ut sicut Deus ante omnia diligere debet, ita in primis operam daret,
ut illius cultus recte haberet: Hinc CAPITULA fecit, non solum
adultera, homicidia & id genus atrociora scelera, sed etiam si quis a cultu
Dei docendo abduceret; si quis sibi ipsi tantum Idola, aut aliam supersti-
tionem statueret, si ariolos consuleret, si Deo conviciū dicat & hujus-
modi, quæ propriè ad curam attinent Religionis. Jam Deus non mutatur;
quare in hac eadem hodiè quoque Magistratum ANIMADVERTERE
DEBET. Nec enim minus apud præcos vera Religio cordi fuit, atque hodi-
diè; & æque tum atque modo opus Spiritus Sancti illa existit: Nihilomi-
nus, quàm & Doctrinæ & Cærimoniarum externæ sunt, & potestas publica in
hoc à Deo rebus humanis præfata sit, ut illæ optimè, id est, ex sententia
ejus habeant, ac ita ante omnia ipsius cultus vigeat, neque possit nocen-
tius quicquam accidere impia Doctrina & superstitionis Cæimoniis, etiam
apud nos Magistratus officium erit cavere, ne quid in his palam pec-
cetur: occulta Dei judicio relinquere oportet. Nequaquam autem huc ire
decet, quoniam multi sunt qui potestate sua abundant, & maxime in
rebus sacris, ut propterea curam religionis alienam a munere Magistratus
faciamus, quàm primum habere quicunque potestate funguntur, non so-
lum divinæ, sed simul omnium Sapientium leges sanxerunt.

Huldricus Zuinglius de Duplici Justitia, Divina & Humana, towards the
end, writes; That the Magistrate was instituted by God; among other ends,
Ne blasphemiam reddamus, sed verbi Domini audientes: Quod si ego blas-
phemias in Deum expuere non vereris, Magistratus blasphemum te poenis
coercet. Religionem tuere debet, & promoveri: Quod si eos non puniat qui
Deo inobedientes sunt, Dei poenam non effugiet. Magistratus, in primis
est, ut omnia ea aboleant, tollentque à medio, quæ cum divini verbi ora-
culis pugnant. And elsewhere he writes thus: That the Magistrate must
know himselfe to be nothing else but a Sword, wherewith God doth cut off the worst and
most hurtfull members of his Body; but he is to take heed that he cut not off a sound
member for a diseased one, nor suffer a diseased one to live for a sound one. That
the Magistrate may lawfully put open Malefactors to death, who are pernicious to the
Body of Christ, and hurtfull to the Common-wealth: And though he holds, That the
Doctrine of Christ is not to be propagated with armes and the sword; and blames the
Papists, the enemies of Gods Word: Quod omnia videntur, non Scriptura-
rum collatione: Yet he addes; Interim Magistratus officium est nihil omi-
nus, ut hostibus veritatis (posteaquam satis sunt auditi & verbo Dei convic-
ti) silentium imponant, &c. Quidam certe eorum tam blasphemè, tamquàm
de Deo, de Veritate, deque Scripturis sacris loquuntur, ut nihil mirum
esset, si Magistratus os ipsis comprimeret, quandoquidem Scripturis omni-
nino nihil possunt, nec cessant tamen reclamare, omnia vi tentare, non
veritate. Præstaret, inquam, ut his, posteaquam auditi essent & edocti,
Pythagoricum imponeretur silentium: So as in his opinion, Magistrates ought
to punish Blaspheemers, to silence and suppress Hereticks and Seducers, who are ob-

Operum,
Tom. 2. f. 2. f.
313.

Explan.
Articul. Artic.
29. Tom. 1. f.
79, 80.
q Ibid. Artic.
40. f. 81.
r Ibid. Explan
Artic. 65.

Note.

stinate, and disturb the publick peace, else God will certainly punish them for their neglect of their duty. And in these places and elsewhere, he largely asserts the divine institution, power, lawfulness and necessity of the Christian Magistrate under the Gospel, against the Anabaptists.

Master Calvin doth the like, Institut. lib. 4. c. 20. throughout: Where he writes thus, Sect. 3. That the Magistrate is to take principall care to suppress and punish Idolatry, Sacrilege, Blasphemy, and other publick offences against Religion; and to take care, that the true Religion contained in the Law of God, be not publicly violated or contaminated by sacrilegious persons, without punishment. Sect. 9. he asserts, That the Magistrates are the keepers of both Tables, as we learn not only by Scripture, but prophane Authors too: That it ought to be their chiefest care to defend and preserve true Piety and Religion, and the honour of God, whose Viceroy they are, and by whose benefit they reigne: And he concludes thus against the Anabaptists, and our Antagonists: Hoc quoque nomine maxime laudantur Sancti Reges in Scriptura, quod Dei cultum corruptum vel eversum restituerunt, vel curam gesserunt Religionis, ut sub illis pura & incolumis floret: Contra vero sacra historia inter vitia anarchias ponit, quod non esset Rex in Israel, ideoque faceret quisque quod placebat: Unde coarguitur eorum stultitia, qui vellent neglecta Dei cura, juri inter homines dicundo tantum intentos esse. Quasi vero praefectos Deus suo nomine constituerit qui terrenas controversias deciderent; quod vero longe gravius momenti erat praetermiserit, ut ipse pure coloratur ex Legis suae praescripto. Sed huc turbulentos homines impellit impius omnia novandi cupiditas, ut omnes violatae pietatis vindictae ex medio sublatis cupiant, &c. In his Comentarj on Rom. 13. and elsewhere, he asserts the like: and that Christian Princes and Magistrates are to suppress and punish Heresies, Schismes, Blasphemies, refuting the Anabaptists opinions and objections to the contrary: Yea, Master Calvin caused the Anabaptistick Heretick Servetus to be put to death by the Magistrates of Geneva for his obstinate Heresie and Blasphemy; for which being blamed by some Anabaptists, he writ a particular Treatise, wherein he demonstrates to the world, *Licetum esse in Hereticos gladio animadvertere*: that it was lawfull for the Christian Magistrate to put Hereticks to death, as Beza records in his life, and Bellarmine cites it too, lib. 3. de Laicis, cap. 21.

Nota.

Finally, Master Calvin in his Praelectiones, in Daniel, cap. 4. ver. 1. fol. 43. asserts the lawfulness of punishing Hereticks and Blasphemers even with death: informing us what manner of persons they are, and what they aime at, who hold the contrary, in these words: *Certum est quod cupiant: Nam si quis ipsos respiciat, SINT IMPII DEI CONTEMPTORES* [not Saints:] *saltem nihil vellent certum esse in Religione; ideo labefactare, & quantum in se est, etiam convellere nituntur omnia pietatis principia. Ut ergo liceat ipsis evomere virus suum, inde tantopere litigant pro impunitate, & negant poenas de Haereticis & Blasphemis sumendas esse, &c.*

Rodolphus Gualther in his 44. Homily, in Epist. ad Galatas, c. 4. from these words of the Apostle, *I would they were even cut off that trouble you;* proves

proves at large, That Magistrates may and ought to suppress Hereticks with civill and corporall punishments, and the Ring-leaders of them with death and capitall censures, even under the Gospel, according to the Prophecie of Zech. 13. 2, 3. meant onely of the times of the Gospel. And in his 76 Homily, in Epist. ad Rom. cap. 13. he affirms the same; asserting, That the Christian Magistrates under the Gospel ought to punish all those offences with the Sword, which God himself hath thought worthy to be punished with capitall censures: *Inter quæ cum omnium gravissima sint, quæ adversus primam tabulam, cum divini nominis contemptu, cultus prophanatione, & multorum aliorum seductione designantur, PRO- CUL DUBIO in eorum Authores quàm severissimè pro delicti ratione animadverti debet. Minimè ergo illorum sententiam probamus, qui adorandæ Trinitatis hostes, & æternæ Jesu Christi Divinitatis blasphematores, plectendos esse negant. Dicunt illi, Fidem donum Dei esse, neque aliquem ad rectè sentiendum cogi posse: Sed nos vicissim dicimus, contineri posse poenarum metu impostores, ne virus hæresium spargant, & pravis dogmatibus rudes & imperitos rerum seducant.* He addes, that by this reason, no Malefactors whatsoever should be punished, because they commit those crimes for want of faith and grace, which are Gods gift.

Learned Peter Martyr not onely in his *Common places*, *Classis 2. cap. 4. sect. 30, to 43.* but in his *Comentary on Rom. 13.* asserts the like, affirming, That many wicked men and Hereticks have been by the force of Lawes and punishments inflicted on them; converted from their finnes and errors, and by degrees brought to a cordiall love and embracing of Vertue and the true Religion; and that upon this reason, Saint Augustine, who at first thought the Magistrate ought not to punish Hereticks; changed his opinion.

Figuri An.
1559. p. 1017
to 129.

Solid Paræus in his *Comentary on Rom. 13.* asserts and proves at large, That it is, and alwayes hath been the chiefest care of godly Kings and Magistrates to abolish false worship, take away Idols, and all instruments of Idolatry, and to preserve the purity of Religion and Gods worship: That they ought not to suffer impurity in Religion, or to give liberty to every one to teach and professe what Religion he like, but onely to defend, tolerate and establish the true Religion; and that they ought, Edicts & poenis impeditre Blasphemias, Hæreses, Idola, Sacrilegia, &c. by Lawes and punishments, to restraine Blasphemies, Hæresies, Idolatries, Sacriledges, Seditions, and the like: Which he there proves at large, quoting the Lawes of many Emperours to this purpose. And also de *Jure Principis circa Ecclesiastica.*

Heidelb.
1613. Col. 12
75, 1276,
1367, 101350.

The like in effect, if not in terminis, is asserted and proved at large by Bullinger, Aretius, Bucer, Fayus, Brentius, Jacobus Grynius, Musculus, Olevian, Piscator, Scultetus; and generally all Protestant Comentators on Rom. 13. and Papists too, whose words for brevity I pretermit. To these I might adde Brentius, de *Republ. administr. Capito, de Jure Magistratus in Religione.* Musculus *Comment. in Psal. 2.* (cited by Master Beza, as concurring in opinion with him;). Gerrardus, *Loci Com. de Magistratu Polit.* num. 5. & 33. who are of the same opinion.

Benedictus Aretius, in his *Historia Valentini Gentilis*; asserts, That Blasphemous obstinate Hereticks may justly be put to death by the civill Magistrate, a Gen-

tilis

cilis was at Berne, and Problem. Locus, 59. de Scismaticis; he asserts, That the chiefe Ring-leaders of Schismes, and obstinate Schismaticks may lawfully be suppressed and punished by the civill Magistrate, as the Donatists were, and enforced to come to the publick Ordinances by penall lawes; by which means many have been reformed and converted, as experience manifests.

Phillip Melancton, not onely in his forecited passages, but in his Concil. de Officio Magistratus in Ecclesiarum Reformatione, & Loci Com. de Sacramentorum Numero; (where he makes the Magistracy a Sacrament, in some sense: *Erit & Magistratus hoc modo SACRAMENTUM, quia est certum genus bonorum operum, ornatum verbo Dei & promissionibus*, Rom. 13. even for the punishment of evill doers in the Church:) *Historia de Incendio Serveti*, by a namelesse Author, *Hartmannus Springelius*, de hodiernis Hæresibus & Hæreticis: *Joannis Wigandus*, de Exiliis Facinorosorum, & Pseudomartyris, *Cl. G. Præt.* de Regia potestate in Ecclesia; *Hadrianus Saravia*, de Imperandi autoritate & Christiana obedientia, l. 2. c. 52, 53, 54. *Lu. Osiander*. Enchir. Contr. Com. Anabap. c. 9. assert the Magistrates coercive power to restrain & punish Idolaters, Hereticks, Schismaticks with corporal censures and death.

Learned *Zanchius* affirms; *Omnes ferè ex nostratibus hujus sunt sententiæ QUOD HÆRETICI SUNT GLADIO PUNIENDI*; That in his time, almost all Divines were of this opinion, That Hereticks were to be punished with the sword, or put to death: Of the same mind is learned *Musculus* Loc. Com. p. 1389. and *Hugo Etherianus* de Hæresibus.

Theodor Beza writes; We teach, that christian Magistrates ought to take speciall care, that the pure and sincere worship of God may flourish, and that they should RE-
STRAINE AND PUNISH Hereticks, CAPITALI QUOQUE PENA SI NECESSITAS ET SCELERIS MAGNITUDO POSTULENT; and that with capitall punishment, if the necessity and the greatnesse of the crime so require, rather then the Church should receive any damage: Which he elsewhere asserts at large, *Operum* Vol. 1. p. 83, to 171. in a particular learned Treatise, *De Hæreticis a Civili Magistratu puniendis*.

So *Junnis* in *Defensione* 2. de Trinitate adversus Samoteniarios, *Heidelb.* 1591. p. 40. *Daneus* *Ethica Christiana*, l. 2. c. 13. & elsewhere, are of the same judgment: To whom I might adde *Voetius* de *Tolerantia Anti-Trinitariorum*: *Becanus* *Locorum Com.* Locus 49. the Professors of Leyden, *Censura Remonstr.* c. 24. sect. 9. *Spanhemius* *Diatribe Historica* de Orig. Progressu, Sectis & Num. Anabaptistarum: with many other forraigne Divines, whose names I spare; all reformed Churches in forraigne parts concurring with me both in judgment and practice too.

Neither doe our owne Authors dissent, but concurre jointly with these our Brethren; witnesse Bishop *Jewel*, and Master *Perkins* himself (whose words I shall recite in the close of this Work) Doctor *Whitakers* *Adv. Campanum* p. 234. Bishop *Babington* in his *Comfortable Notes* upon *Exodus*, cap. 18. in his *Works* in Folio, London, 1622. p. 271, 272, 273. Doctor *Fulke* in his Answer to the *Rhemist Testament*, on *Apor.* sect. 6. where he writes thus: Though we allow the PUNISHMENT OF HERETICKS,

v In Miscellan, cap. de Magistratu.

x Contr. Holderum, & Jac. Andreæ, p. 121.

y Defence of the Apology, part 3. c. 1, c. 2. p. 317: & Reformed Catholick, Contr. 21. c. 234. and on Rev. 2. 20.

both in our owne and other Countries (even with death) yet we abhor the cruelty of Antichrist and his Church, which condemne the Christians, and murder them under the colour of Hereticks: Doctor Robert Abbot, de Suprema Potestate Regia: Bishop Carlton of Jurisdiction Regall, Episcopall and Papall: John Bridges * Pag. 73, 74, of the Kings Ecclesiasticall Supremacy: Thomas Becon in his * forecited 75. works; and Doctor Willet in his Sixfold Comentary on the Epistle to the Romans, cap. 13. Controversie 4, 5, 6. Where thus hewrites.

Princes ought not onely to take care about the affaires of the common-wealth, and to be altogether carelesse of Religion, but even unto Ecclesiasticall affaires, and matters of Religion, they ought to extend their Princely care and watchfulnesse. First, the Prince is the Minister of God for our good; but the good of the Subject is not onely civill and temporall, but spirituall concerning Religion. Secondly, Even the Heathen did ascribe unto their Kings a principal care even of Religion: Whereupon the Emperors of Rome were stiled, Pontifices Maximi, the high Priests or Prelates: and Aristotle writeth, lib. 3. politic. c. 10, that the Lacedemonian Kings had the command of War, and rei divinæ cultum exercuisse, and did exercise divine worship, unlesse they were such Sacrifices as were necessarily to be done by a Priest; that therefore which by a common consent of Nations was given unto Kings, ought not to be denied unto christian Princes. Thirdly, the care of Religion otherwise concerneth the Prince, rather then private persons: these onely are to wish well unto it, and to accept of it; but the Prince ought to be an Agent, without whose power nothing can be effected publicly for the maintainance of Religion.

Secondly, it belongeth to the Imperial power to maintain true Religion, and see that no confused mixture of Religions be admitted, for this is given as a reason in the time of the Judges, why some followed Idolatry and strange worship, because there was no King in Israel, but every one did that which was good in his owne eyes, Judges 17. 4. if there had been then a King, they should not have been suffered every one to follow their owne fancies.

Thirdly, Christian Princes are by their Lawes and Edicts, to restraints all Blasphemy, Idolatry, Heresie, Sacriledge, and such like, because Princes are to be feared for evil works; their office is to restrain all evil works whatsoever, such as these are; and they are appointed to procure the good of their Subjects, and consequently to take out of the way all impediments which may hinder their good, such as these are: The Romanists grant thus much, that the Princes by their Lawes should provide against Heresie, but they will exclude the Prince from all judgment of Heresie, which must be in their opinion determined only by the Church, &c. Which all our Divines and Protestant Writers condemning, is a strong evidence to me, that Heretickes are properly triable onely by the Judges at the Common Law, by way of Indictment, not by the Clergy, as their Heresie is criminal and capitall, as well as Romish Priests and Jesuits.

This truth is very largely and learnedly asserted by Bishop Bilson, in his True difference between Christian Subjection, and unchristian Rebellion; by Bishop Davenant, De Iudice & Norma Fidei, cap. 15. p. 71, to 78. and other of the Episcopall Party, whom I pretermie: I shall conclude onely with such who have written since this Parliament: The first of them is learned
Master

Master Samuel Rutherford, in his *Due Right of Presbyteries*, p. 352, to 370, where he propounds this Question: *Whether the Magistrate hath power to compell persons to a Church-profession?* For clearing whereof, he layes downe and proves these five Conclusions.

I. The Magistrate may compell to the meanes and externall acts of worship, and to restraine them from externall false worship of the false God, or of the true God worshipped in a false way; he cannot compell to internall acts of faith, love, and such like, as hauing no power over the conscience.

II. There is one consideration of a Heathen or Pagan Nation, which never received Christianity, and the true Faith; and another consideration of a Nation Baptized and professing Christ.

III. A Magistrate may compell a Heathen Nation to the negative reverence of Christ, in an indirect way, and that with the Sword, though he cannot compell to the positive worshipping of him: If a Christian Prince subdues a Pagan Nation, he cannot force them with the Sword to a positive receiving of the Doctrine of the Gospel, but if it be a Nation expressly blaspheming Christ, as the Nation of the Jewes now doe, he may compell them to an abstinence from a professed blaspheming of Christ, because he is to use the sword against Blasphemy.

III. The compelling power of the Magistrate is terminated upon externall worship, as abstracted from either hypocrisie or sincerity in worship.

V. Though no man resist the Magistrate in a matter of Religion, except in a hypocritically way, save onely he who thinketh he hath reason to resist, and is led by the judgment and inditement of conscience, yet is not the judgment of conscience, but onely the Word of God the rule of mans obedience, or resisting in action, purposes and conversation.

These five conclusions he there proves at large; asserting, That grosse Idolaters, seducing Hereticks and universall Apostates, may and ought to be put to death; and he cites Beza, Junius, Becanus, Zanebius, Perkins, Danaus, Bullinger, and the Professors of Leydon, to be of this opinion, That ringleading and seducing Hereticks are to be punished to death; with many Popish Authors who are of the self same judgment: a Master Edwards in his *Anti-Pologia*, and *Gangraenaes*, asserts the like; with our London, Essex, and Suffolk Ministers in their Petitions to both Houses, for the punishing and suppressing of Heresies, Schismes Blasphemies. The Independents in New-England it selfe, as Master Cotton, Master Hooker, and others, are of the same judgment, and de facto banished Master Williams, Mistris Hutchinson, and other Hereticks and Schismaticks, out of their Plantation: In few words, c John Goodwin himselfe, in a Book intituled *M. S. to A. S.* p. 50. Master Henry Burton in his *Vindication of the Churches commonly called Independent*, p. 70. and Master Jeremy Burroughs, of *Heart-Divisions*, p. 20, 21. (three grand Independents) conclude against Master Dell, That the Magistrate may fight with, and punish Superstition, Heresie, Schisme, as well as with corruption of manners; where there is no danger of fighting against God: And Master Burroughs from Zech. 13. 3. grants, That in the times of the Gospel (of which this Text is a Prophecie) all erroneous or idolatrous Prophets or Teachers, should be brought

a See his Treatise against toleration, and Master Obadiah Sedgwicks Fast Sermon of the nature and danger of Heresie.

b Master Baylies History of the Brownism and Independency.

c See Master Loves Amadversions, p. 21, 22.

brought before the civill Magistrate, to receive condigne punishment, even to the taking away of life, in some cases.

Finally, even the very Ringleaders of the Anabaptists themselves, who to propagate their owne errors without restraint, first cryed downe the Magistrates coercive power in matters of Faith, asserting, That they ought not by their Lawes and Edicts, to compell men to come to the publick meetings, or punish any man with corporall or capitall punishments for any error or heresie: and at last denied Magistracy it selfe: Did afterwards, when they got the power into their owne hands, not onely make and proclaime themselves Magistrates and Kings, exercising more barbarous, bloody tyrannies, then the worst of Tyrants ever did; but professedly asserted and maintained, That all those who would not be Re-baptized, and embrace their fanatick opinions, were to be slaine and put to death as wicked men and Infidels, and their Lands and Goods to be confiscated to themselves, the onely Saints; and accordingly they murdered and put to death many of their owne Members, and thousands of others in Suaben, Munster, and other parts of Germany, violently seizing on their Lands, Castles, Houses, Goods, till they were themselves suppressed and dissipated by the sword, and above an hundred thousand of them slaine and executed in sundry places of Germany, as the Marginall Authors record at large: Therefore their own practice, Doctrine subverts this their pretended Anti-Magistraticall position: It did so heretofore in Germany, and doth so already even in New and Old England, where they have any power: and I pray God we feel not as sad effects and symptoms hereof ere long at home, as ever they did in Germany.

All these Authorities will, I hope, overballance Master Dels opinion and mis-quotations to the contrary.

Having fully answered and totally routed all Master Dels forces, against the coercive power of the civill Christian Magistrate, in case of Heresie, Schisme, Blasphemy: I shall next fall upon a few Reserves of some of his Saints in the Army, and of their Champion Master John Goodwin, which I shall quickly scatter, and then conclude.

The twelfth Objection, made by some Sectaries in the Army, against the Magistrates punishment of Blasphemy, is thus expressed in a Letter written by a godly Minister, June 3. 1646. who was then in the Army.

They would not have the old Military orders, set forth by the Earle of Essex, observed, That BLASPHEMERS should be hoared through the Tongue. The argument that they urged was, That sinnes which are directly against God, should be punished by God: Upon which ground, they hold, that Heresie, Atheisme, &c. should not be punished by the Magistrate, because they are sinnes directly against God, &c.

To this I shall answer, first, that if this ground were true, then God, the Fountaine of Justice, being as able to punish sinnes directly against himselfe, as well under the Law as Gospel, would not have in positive tearmes, commanded such who were guilty of open Blasphemy and Idolatry, (being sinnes directly against him) to be stoned and put to death without any mercy, as I have proved he did; and those godly Magistrates and Princes

4 Bullinger, Contra Anabaptistas, l. 1.
5 Sleidans Coment. l. 4, 5
10. Guy de Bres, contre les Anabaptistes. Cloppenburghs Gangrena Anabaptistica. Comradi Heresiebus Historie Anabaptistica, una cum notis Lamberi Hortensii Spanhemii Diatribe. Doctor Featly his Dippers dipt, Master Robert Bailie his Anabapt. ch. 1, 2, 3. Joannis Wittingius de Anabaptistis.

b See Master Edwards Gangrenas, and Master Bailies Anabaptisme, c. 2, 3, 4.

c See Master Bailies Dissuasive from the Errors of the times, p. 31, 32, 48, 49, 50, 124, 130, 131, &c.

Object. 12. d Master Edwards his third part of the Gangrena p. 46.

Answer. Deut. 13. Levit. 24. 11. to 17.

ces, w^ho punished Idolaters with death under the Law, had been Murderers and Delinquents: This argument therefore w^h taxeth God himselfe, and his precepts of direct injustice under the Law, must be rejected by the Objectors as blasphemous: or else they must make it appeare by Scripture, that though these sinnes under the Law were by Gods owne command to be punished with death by the civill Magistrate and people, yet now under the Gospel he hath resumed the power of punishing them onely to himselfe, and deprived Christian Magistrates of it, which they can never doe. Secondly, By this reason, Magistrates must not punish direct Atheists, openly professing there is no God, nor such Hereticks who deny the Trinity, or the Deity of Christ and the holy Ghost, nor such as deny there is any Heaven or Hell; since these sinne directly against God himselfe. O the piety of Master Dels anointed faithfull Saints! is this their zeale, their piety, their sanctity? Thirdly, they must by this reason punish no sinne at all, no not Rebellion, Murder, Treason, Sorcery, Adultery, for these sinnes are ^e directly committed against God, who prohibits, and whose ^f prohibition makes them sinnes, but sinnes onely indirectly against men, as they are Gods creatures, and beare his image. Fourthly, if this paradox be true, then by the self same reason, God himselfe is not to punish any sinne committed immediatly against men, as Murder, Adultery, &c. nor may God nor man punish sinnes committed by beastly men with Beasts, because not directly committed against God or man, in the Objectors sense; and then what becomes of the truth of Heb. 13. 4. Revel. 21. 8. cap. 22. 15. Whoremongers and Adulterers God will judge, and they shall have their Portion in the Lake which burneth with fire and Brimstone: And of Levit. 18. 23. cap. 20. 15, 16. If a man lye with a Beast, he shall be surely put to death, and he shall slay the Beast: And if a woman approach unto any Beast, and lye downe thereto, thou shalt kill the woman and the Beast, they shall surely be put to death, their blood shall be upon them. Fifthly, the Magistrates ^e are but Gods Ministers, Avengers, Deputies, to execute wrath upon all evill doers: whence in Scripture they are called ^k Gods, said to ⁱ sit on Gods Throne, and to judge for the Lord: Therefore certainly they may and ought to punish all sins directly acted against God, whose Deputies they are, rather and more severely then any other; as Judges and Kings Vicegerents punish all high Treasons or Offences (not the King alone in person) committed directly against the King himselfe, and that with greater care then any offences against other persons: and Councils of Warre punish offences against the General himselfe, more exemplarily then against inferiour Officers; which if this hold good, they could not intermeddle with. We read, John 19. 12. 13. That when Pontius Pilate would have released our Saviour Christ; the Jewes cryed out saying; if thou let this man goe, thou art not Casars friend; whosoever maketh himselfe a King, speaketh against Cesar. When Pilate therefore heard that saying, he brought Jesus forth, and sate downe on the Judgment-seat, and delivered him over to the chiefe Priests to be crucified, who said, we have no King but Cesar: Certainly I may much more truly say, that those Princes, Judges, Magistrates, who are Gods Deputies, and sit upon

Psal. 51. 4.
Rom. 4. 15.
C. 3. 20. C. 15.
B3. C. 7. 7. 10
B5. 1 Cor. 15.
26.

Rom. 13. 4.
1 Pet. 3. 15.
Exod. 22. 28
Psal. 82. 1. 6
2 Chron. 9. 8
Psal. 138.
2 Chron. 19. 6

his Throne of judgment, are no friends at all to God, and ^k lesse zealous for him ^{¶ Tertul. Apo-}
then Pilate was for *Cæsar*; if they doe not with all care and zeale punish ^{log. p. 673.}
such Atheists, Blasphemers, Hereticks, most severely, who sinne immedi-
ately against that God, whose very Vicegerents and Avengers they are,
and it shall be more intolerable for them at the day of judgment, then for
any Judge or Viceroy, who wilfully refuseth to punish high Treason
against his earthly Sovereigne, which is no lesse then high Treason in
himselſe. I shall say no more to this Objection, but that it is fitter for
Beasts, then rationall men; for incarnate Devils, Atheists, then spirituall
Saints; for God-dammee Cavaliers, then Parliament-Troopers, who de-
serve to be boared through the Tongue, or rather to have their Tongues cut out,
for such blasphemous arguments, in favour of blasphemy.

The thirteenth Objection is this, ¹ Repentance to the acknowledgment of the ^{Object: 13.}
Truth being a special gift of God, and man not capable of it (nor of any divine superna- ^{1 A Reply of}
turall truth, not revealed by the very light of nature;) it is very unreasonable that the ^{two of the Bre}
want of it, being a judgment upon a man from God, and which withall no way proves ^{thren to A. S.}
hurtfull unto others (at least not necessarily or unavoidably hurtfull) that it should expose ^{p. 58. and Ma-}
him to further misery and punishment from among men; a reasonable man will think ^{ster Goodwins}
it very hard and unreasonable to punish a man for not doing that, which is onely proper ^{Thormachia.}
and in the power of God alone to doe.

I answer, that this is one of *John Goodwins* Atheistickall reasons against ^{Ans.}
the Magistrates jurisdiction to punish Hereticks, Schismaticks, Anti-
trinitarians, or Denyers of the Deity of Christ and the holy Ghost, with
corporall and capitall punishments; borrowed from ^{m Perilian the Dona-}
tist, warranted by no Text at all, and directly contrary to the whole cur- ^{m Aug. Contr.}
rent of Scripture, as I shall prove by these instances. First, if this argu- ^{Lit. Petil. l. 2.}
ment holds good, then no man can in any reason be punished or damned
either for originall sinne, or unbelieve, or want of repentance, faith, or
any other saving grace, because it is not in mans owne power, industry or
seeking to avoyd these finnes, or procure these saving graces, but onely ^{* Ephes. 2. 8.}
in the ^{*} power of God to work them; yet God punisheth these unavoid- ^{2 Tim. 2. 25.}
able sins, and want of these spiritual graces, with eternal death. Secondly, ^{Phil. 2. 13.}
the want of the grace of God hardens mens hearts, ^{¶ the defect of his fear before}
their eyes (which is not in their power, but Gods) is one principall cause, ^{¶ Rom. 3. 10,}
why men commit or fall into any capitall sins, as Treason, Murder, and the like, as ^{10 19. Gen.}
well as commit and fall into Heresie, Schism, Blasphemy, Atheism, Idolatry;
But the want of Gods grace or feare to prevent Treason or Murder, will
not excuse Traytors, Murderers, or other Malefactors from the Gallows;
nor Children, nor Servants from their Parents and Masters due correcti-
on: therefore not Hereticks, Idolaters, Blasphemers, Atheists, Schisma-
ticks from due punishments. Thirdly, admit it would be hard and very
unreasonable for a Christian Magistrate to punish any Heathen who ne-
ver enjoyed the meanes of Christianity, nor professed the Christian Religi-
on, for not beleiving in Christ or the holy Ghost, or for contradicting any
truths revealed onely by the light of Scripture not nature; since as many as

* See Peter Martyr, Param, Soto, Pererius, Willet, Marlorat in Rom. 2.

2 Pet. 1. 19.
Psal. 119. 105
See Willet on Rom. 2. qu. 28.
to 35.

See the late Ordinances for Suspension from the Sacrament.
2 Pet. 2. 1.

have sinned without the written Law, shall be judged without the written Law, only for breach of the Law of nature, as * Divines determine from Rom. 2. 12, to 17. Yet since Christians who professe Christianity have the light of the Scripture to direct them, which by diligent reading, hearing, prayer, meditating, conference, (to which they are obliged, and which lyes in their owne power) they may fully understand, so farre as to discern between Heresie, Error, Blasphemy, and the Truth it selfe: it is as great reason, justice, that the Christian Magistrate should punish them with corporall (and in some cases with capitall) punishments, as God with eternall, for broaching damnable Heresies, Errors, Blasphemies and Schismaticall opinions against the written Word, or, as to punish Heathens or Christians for any offence committed by them meerly against the Law of nature, which is nothing so cleere and perspicuous to Heathens, as the Scripture is or may be unto Christians. Fourthly, admit the Objection solid, yet it is nothing to purpose; since the Magistrate never punisheth any man for his meer ignorance or unbelieve, as is pretended (though Ecclesiasticall Officers doe by p suspension from the Sacrament, and I think Master Goodwin too, against this very argument, which holds as well in Ecclesiasticall as Secular punishments) but onely for actuall maintaining or venting damnable Heresies, Errors, Blasphemies and Schismaticall practises, after admonitions and other meanes used to reclaime them: Therefore the Objector might well have kept this rover in his quiver, which comes not neer the mark. Fifthly, Heresies, Blasphemies, Errors, Schismes, are exceeding prejudiciall to others, and Gods eternall punishing of them hereafter, is no supersedeas to the Magistrates censures of them here, as I have formerly evidenced. Therefore this Argument is both false and idle.

Object. 14.
A Reply of two of the Brethren to A. S. p. 55, 60.

The fourteenth Objection is this; That power is very dangerous for a Magistrate to owne; in the exercise whereof, he may very easily (and commonly doth) run a bazard (at least) of fighting against God, or of plucking up that which he hath planted, or of pulling downe that which God hath built up: But such is that power of punishing Heresies, Scismes, Blasphemies, &c. which A. S. cum multis aliis, are ready to fasten upon him; Ergo. The proposition is too much every mans sense and consent, to be A. S. his dissent: The Assumption he proves, because those practises in Religion which the Magistrate is borne in hand, by those whose eyes he sees with in such cases, to be schismaticall, erroneous and contrary unto God, may very possibly be the wayes and truths of God, because Synods, Parliaments, and Magistrates formerly have mistaken in this kind, and may still mistake.

Ans.

I answer, first, that the proposition is not onely without, but against Scripture, and might have been made against the Magistrates and peoples punishing Idolatry, Blasphemy, with other errors under the Law, as well as under the Gospel. Secondly, it utterly subverts all Magistracy whatsoever; for as a Magistrate may possibly fight and sinne against God through error and mistake, in punishing Heresie, Schism, Blasphemy, &c. so likewise he may through ignorance, misinformation, bribes, affection, feare, ha-
rard, Superiours commands, and the like, wrest Judgment, and Judge, punish

Exod. 23. 2.
Amos 5. 7.
c. 6. 12. Heb. 1
Eccles. 3. 16

punish men unjustly, not onely criminally or civilly, but capitally too, and so draw upon him the guilt of ¹ innocent blood: Ergo, it is unlawfull ^{Deut. 17. 29.} for any man to be a Magistrate or Judge between man and man, much ^{Psal. 10. 8. & 94. 21.} more to be a King, whose exercise of his supream authority is usually liable to more dangerous finnes, corruptions, manifold temptations, abuses and dangers of fighting against God, then other inferiour Officers. Secondly, this reason militates against all other Callings and Professions whatever, which have their proper finnes, temptations that attend them; but especially against the Ministry, who are far more apt to ¹ broach Errors, Heresies, Schismes, to fight against God and his Truth, then Magistrates, as ¹ the Objector hath done for many yeers together, both in the Presse and ¹ Pulpit: Therefore this *Cretenss* (if he credit his owne argument) must ¹ henceforth give over his preaching, writing, conventicling, for feare of fighting every day more and more against God, his Truth, People; since like ² *evill men and seducers*, he grow every day worse and worse, more hereticall and erronious, and at last is like to turne either Atheist or nothing. Thirdly, it fights against the performance of all holy duties; there being a great deale of danger in performing them; our *prayers* ¹ may be turned into ¹ *sinne*, the Word it selfe may be the ² *savour of death unto us*, and condemne us at ¹ the last; yea, we may ² *eat and drink our owne damnation at the Lords owne Table*, as many doe: Ergo, by Master Goodwins Argument, we must abandon all holy duties, in regard there are such dangers in them to our soules; and then farewell all Religion and the Scriptures too, which ¹ many wrest to their owne confusion. Fourthly, the danger of any lawfull power or calling, must not take away nor suspend the lawfull use thereof; and this danger in the Magistrates calling must make him more cautious in doubtful cases of Heresie, Blasphemy, Error, Schisme, but not more negligent or lesse zealous in such as are cleer and evident to his conscience, by the light of Scripture and consent of all Ages, Churches. Fifthly, for his assumption, it holds onely in doubtful cases, not in plaine and apparent, as most cases of Idolatry, Blasphemy, Heresie, grosse Error and Schisme are, which the Magistrate may boldly proceed to punish without scruple: and in doubtful cases, the Magistrate is to resolve his owne conscience fully the best he may, and to proceed with more deliberation, mildnesse; and if at last he be throwly convinced, that what the Delinquents deem to be truth, and agreeable to the Word, be apparent Heresie, Error, Idolatry, Schisme, his owne conscience then, not theirs, must be his rule to proceed by; neither must he wound his owne conscience, nor betray his liberty, trust, to spare them or their Heresies, Errors, Schismes, Blasphemies, Idolatries, no more then he may spare Traytors, Murderers, Theeves, Sorcerers, who deem themselves innocent, or pretend conscience to justify their crimes: But I have already refuted this Argument, more largely in my Answer to former Objections, I therefore passe to the next.

The fifteenth Objection is this; ¹ That power which was never attributed to any Christian Magistrate, by any Christian, but onely by those who had very good assurance, ¹ *Object. 25.* A Reply of two of the Brethren to A. S. p. 61.

rance, that it should be used for them and on their side, is not like to be a power conferred on them by divine right, or by God, because it is no wayes credible, that within the compasse of so many Ages, as are by gone, no one man of that conscientious generation of Saints, which hath been wont so frequently to deny it selfe, even unto death, should acknowledge such a power in the civill Magistrate, as did by divine right belong unto him, onely because such an acknowledgment was like to make against himselfe: But that coercive power in matters of Religion for the suppressing of Errors, Schismes, Heresies, &c. was never attributed to the civill Magistrate by any Christian, but onely by those who were very confident, that it would be used for their turnes, and effect their desires: Ergo, he ought not to claime it.

Ans^r.

To this I answer: first, that this very Argument is built upon meer humane reason, without any shadow of Scripture to warrant it, and is a meere surmise of a crazy atheisticall braine, to elude, yea contradict direct Texts of Scripture; by which kind of argumentation both the Scripture and Deity it selfe may be subverted by luxuriant wits. Secondly, this Arguer playes the hypocrite against his owne judgment and conscience, tacitely confessing, that if the civill Magistrate would be for him, to set up Independency, and not against him, he would plead as hotly for his authority and coercive power, as any Presbyterian; but because he conceives the Parliament and Magistracies are against his way, therefore he pleads against their coercive power to suppress it, as the ^d Donatists did of old upon this very ground, who made use of Julian the Apostates Edicts against the orthodox Christians, to restraints them, but condemned Constantines Lawes to restraints themselves: as is evident by St. Augustines fore-cited passages; yea, our Independents at first seemingly pleaded for the Parliaments and civill Magistrates coercive power, whiles they had any hopes to make use thereof for the advancement of their owne Party, as the ^f Arminians did in Holland, till the States declared against them, and then they retracted what they had written in defence of their coercive, corrective power, and writ expressly against it: Thus the ^s Independents and Anabaptists doe now: God defend us from such grosse Hypocrites and Turn-coots as this changling Objector, who will be sure to strike in, and make use of the prevailing Party, if he conveniently may. Thirdly, Theeves, Wolves, Foxes, yea all kind of hurtfull men and creatures, might make the very selfe same argument as this Objector doth: no Theeves, but onely true men who thought the Judges sure on their party, did ever hold it lawfull for Judges to condemne and hang men for stealing a little money or goods to supply their wants; Ergo, no Judge ought to claime or execute such a power: No Wolf or Fox did ever hold it lawfull for any Shepheard to hunt, take or kill them, for killing and devouring their Lambs or Sheep, because they did it by an instinct of nature, according to their naturall genious, onely to fill their bellies, and satisfie hunger, but only Shepheards and Sheep-masters; Ergo, it is unlawfull for any to hunt, take or kill them: No Adulterer, Whoremaster or Drunkard will averre, that it is lawfull for the Magistrate to punish them for Adultery, Whoredome or Drunkenesse, because

d Contr. Lit.
Petil. lib. 2.

e See Master
Edwards his
Antipologias,
p. 157, 158.
f Voetius se-
lect. Disp. de
Quæst. In
quibus sit pote-
tas Eccles.
Thes. 1. 4. & 5.
Vedelius de
Episcopam Con-
stantin. Mat.
p. 3, 4, 5, 6.
* See Master
Baillies Disti-
five from the
errors of the
Times, c. 6. p.
124, to 150.

because they committed them onely to satisfie their beloved Lusts, and please their carnall appetites; but onely chaste and sober men : Ergo, it is not lawfull for the Christian Magistrate to restraine and punish Whoremasters, Adulterers, Drunkards for these Sinnes, Vices, lusts : Certainly such an Argument would quite subvert all civill punishments whatsoever, for *Unusquisque sui ipsius iniquus Index*, especially carnall men in all cases which concerne their best beloved sinnes. And thus much in answer to his Major. Fourthly, for his Minor, it is a most arrogant, false assertion, wherein the Objector (who never read one quarter of all Books written of the Magistrates power, much lesse the hearts and secret thoughts of every conscientious Christian that ever lived under the power of Christian Magistrates) dares confidently averre, That a coercive power in Magistrates was never acknowledged by any Christian whatsoever, but onely those who were well assured it would be used for their turne. When this pretending Omniscience can demonstrate this over-bold assertion to be true, we may credit his Argument, till then, we must reject both him and his argument as false and groundlesse. Fifthly, * Christ himselfe, together with his Apostles, * Paul and * Peter, acknowledged such a coercive power in the civill Magistrate, as I have proved, though they beleaved it would be used against themselves and their followers, as it was: the like did *Augustine*, with sundry other Authors forecited, and all Christian Churches at this very day; yea, *Cyprian*, *Luther*, *Melancton*, *Zuinglius*, and others, who lived in the times of persecution, did the like, as I have formerly proved: therefore the contrary groundlesse assertion of this over-confident Arguer, is most false, impious, and his Argument most infirme which is grounded principally upon it.

The sixteenth Objection is this; * That power which in the exercise of it, directly tends to prevent, hinder or suppress the growth or increase of the light of the knowledge of God and Jesus Christ in a Church or STATE, and the reformation of such things either in Doctrine or Discipline, as are unwarrantable therein; is not (QUESTIONABLES) of any divine Right or Institution: If N. S. deny this proposition, at the perill of his modesty and reputation be it: But such a power in the civill Magistrate for suppressing Errors, Schismes, Heresies, &c. in Religion, directly tends to all the mischiefe and inconvenience in the world: Ergo. The evidence of the assumption is this, When men are obnoxious to the stroke of the civill power, and in danger of suffering deeply from the Magistrate for any thing they shall hold or practice in Religion contrary unto him; it must needs be a great temptation and discouragement upon them from searching and enquiring into the Scriptures, after a more exact knowledge of the good and holy, and perfect will of God in things, because in case he should discover any thing contrary to what the Magistrate professeth, he must run the hazard either of with-holding the Truth be so discerned, in unrighteousnesse, and so of having both God and his owne conscience his enemy; or else of having his bones broken by the iron rod of the civill Magistrate, for making profession of any thing contrary to that he professeth.

To this I answer, first, that this Argument, as the former, is grounded upon

g Mar. 11, 27.
c. 10. 18, 19.
b Rom. 13. 1.
to 6. 1 Tim. 2.
1, 2. Tit. 3. 1.
1 Pet. 3. 14.
15. 1 Pet. 2. 19.
11, 12.

Object. 16.
* A Reply, &c.
p. 61.

Answer.

See Melan-
cton, Loci Com-
munes, Aretius
Problemata,
Tit. de Magi-
stratu civili
Lucas Osiander
Enchirid. Cont.
cum Anabap-
tistis, c. 9.

upon false carnall reasonings and principles, warranted by no Scripture, to contradict the coercive power of Magistrates, warranted by expresse Scriptures. Secondly, the proposition may very well be denied by A. S. or any other, without the perill of his modesty or reputation (the utmost hazard he shall incurre by the Objectors confession) I am certaine without any danger to his soule or conscience; else we must deny the very office and exercise of Kingly, and all other Supream Civill or Ecclesiasticall powers (here secretly struck at) because in the abused exercise thereof they usually tend, not onely to prevent, hinder, suppress the growth & encrease of the knowledge of God and Jesus Christ in a Church and State, with the reformation of such things in Doctrine or Discipline as are unwarrantable therein; yea, commonly degenerate into oppression, tyranny, cruelty and injustice to boot, as is evident by *Psal.* 2. 2, &c. *Acts* 4. 25, to 30. *Matth.* 10. 17, to 29. cap. 24. 9, 10. and the Histories of all Ages: Upon which ground the^m Anabaptists and some of our new Saints of their spawning, condemne all Monarchy and Magistracy (as the Objectors cunningly do.) Thirdly, I answer, that the abuse of any lawfull power or institution, doth not nullifie the power or institution it selfe, if divine or necessary (as the Magistrates is) nor the lawfull exercise thereof: therefore this accidentall abuse of the Magistrates coercive power (the sinne and fault of the persons that manage it onely, not of the power it selfe) cannot invalidate or nullifie the exercise of it, no more then the abuse of preaching and arguing abrogate their lawfull use; nor the common abuse of eating and drinking, to surfeiting and drunkenesse, or of apparell to pride, make the things themselves, or the right use of them, evill. Fourthly, the assumption is false, contrary to expresse Scriptures, as *Isa.* 49. 23. 2 *Tim.* 2. 1, 2. yea the punishment of reall Heresies, Errors, Schismes, Blasphemies (the onely thing in dispute) by godly Christian Magistrates, can never involve them in the objected danger, and tends onely to prevent the Objectors mischiefs, and to the remotion, suppression of those mists of Heresie, Error, Blasphemy, which would eclipse the light, the knowledge of God & Jesus Christ in Church, State, and helps to reforme things amisse in Doctrine and Discipline, as experience with all Ecclesiasticall Histories, and the Chronicles of the good Kings of *Judah* and *Israel* manifest. Therefore this Objection must needs be exploded as most false and dangerous by all good men. Fifthly, fear of punishing Hereticks, Schismaticks, false Teachers and Blasphemers, will never retard nor discourage any Orthodox Christian from searching and enquiring into the Scriptures, after more exact knowlege of the good and perfect will of God, as is falsely alleaged; but rather instigate them to such a search: and if any accidentally by such fear of punishment be deterred from such an enquiry into the Scriptures, and induced to withhold the truth in unrighteousnesse, it is their owne sinne, nor the Magistrates, nor the fault of his coercive power rightly managed, yea no true Saints of God, but onely Hypocrites, and such false Saints as the Objectors are, will be deterred from searching the Scriptures, and induced

duced to with hold the truth in unrighteousness by any humane power whatsoever, as is evident by the example of the Apostles, *Act. 4. & 5.* of the three Children and Daniel, *Dan. 3. & 6.* of Paul himselfe, *Act. 20. 23, 24. cap. 21. 11, 12, 13, 14.* and by *Col. 1. 27, 28, 29. Hebr. 10. 32, 33, 34. Rom. 5. 3, 4, 5.* This Argument therefore must vanish into nothing before these Scriptures, and shame the Author of it.

The seventeenth Objection is of the same stamp, "That power which in the use of it plainly and undoubtedly tends to the gratification of Satan, of carnall and prophane men, is not certainly derived from God: But that power in matters of Religion to crush Heresies, Schismes, &c. which A. S. and many others pinned upon the Magistrates sleeve, is a power of this tendency and importance in the use of it: Ergo, The latter proposition shines cleere enough with its owne light; first, because a very great part of those who are like to suffer by it, are men of good conscience, and men truly fearing God; it not being likely, that ordinarily men of loose or no conscience should delight to swim against the streames either of greatness or plurality in matters of Religion: therefore it cannot but be conceived a matter of solemn gratification to Satan, who is a Murderer and bloody Enemy to the Saints, to see them disgraced, crushed, &c. Secondly, because it is the impatient and important desire of all ignorant, loose, lukewarme and carnall professors, to have all religions (as they call them) all wayes, sects, opinions and practises in Religion, wholly silenced, suppressed and abolished where they live, except only that one way and practice which shall be authorized and practised by the State.

I answer, first, that the Minor is both false and absurd: for the use of Magistrates legislative, coercive and punitive power, tends to no such ends as is objected, but directly to the contrary; and if any apply it to such ends, it is meerly the abuse, not use thereof; and the abuse of this lawfull necessary power must not abolish nor blemish its lawfull use, no more then the abuse of the very Scriptures, of Preaching, Food, or Ecclesiasticall censures, nullifie their use. Secondly, Hereticks, Blasphemers or obstinate Schismatics, being the first-borne of the Devil, and Heresie, Blasphemy, Schisme, works of the flesh, directly contrary to the Spirit and Word of God, it is farre more probable, that the not using this power of the Magistrate to punish them, will farre more gratifie Satan and prophane carnall men, then the exercise of it. Thirdly, all the godly Christian Emperours, Kings, States, Ecclesiasticall Historians, Councils and Authors forecited, who have enacted Lawes against Hereticks, Schismatics, Blasphemers, and have pleaded for the use, necessity of this power, have been quite contrary minded; yea, the very Word and Spirit of God, and God himselfe (who hath given them such a power in expresse termes in the Old Testament and New,) contradict this Anarchicall, if not Atheisticall proposition, which hath neither Scripture nor reason to back it, but the Objectors own bare assertion, point-blank against Scripture, and the concurrent suffrages of all Ages. Fourthly, I beseech you observe the impudency of these Objectors, who deem themselves the only Saints, what Blasphemies they dare to vent in print, That the Magistrates power to crush Heresies, Schismes,

Object. 17.

A Reply, &c. p. 61.

Answ.

2 Pet. 3. 16.

Hence Saur

John told an

Heretick, Scio

te esse primu

genitum Dia-

bol. Euseb.

Eccl. Hist.

Gal. 5. 19.

20. Mat. 15. 19

Rom. 16. 17,

18. 2 Pet. 2. 4

to the end.

Blasphemies, in the use of it, plainly and palpably tends to the gratification of Satan, and carnall and prophane men; and those that are like to suffer by it, are men OF GOOD CONSCIENCE AND TRULY FEARING GOD: Ergo, Hereticks, Schismaticks and Blasphemers, in their judgment, are men of good conscience, truly fearing God; and those godly Christian Magistrates, who out of good conscience and true feare of God, shall restraine or punish them for their Heresies, Blasphemies, Schisms (by the rule of contraries) are men of no conscience, nor truly fearing God, but prophane, carnall men, yea ignorant, loose, lukewarme and carnall Professors, as he styles them; and none are pleased with their punishment but Satan, and such men as these. This is New-light indeed, deserving to be hung up at Tyburne by the hands of the Hangman, and such absurd Blasphemy as becomes none but Tyburne-Saints. Fifthly, I answer, that it hath been the importunate desire of the true Saints and Ministers of God in all Ages (not of ignorant, loose, lukewarme and carnall Professors, as is falsely pretended without prooffe or evidence) to have all Religions, Wayes, Sects, Opinions and practises in Religion suppressed, excepting that one true way and practice which the Scripture warrants, and the Christian States wherein they live, upon good grounds approve, as I have plentifully evidenced in the premises, and is manifest by all Historians, by the proceedings and Books written against Hereticks and Schismaticks, in all Ages; by the late Petition of thousands of godly People and Ministers to the Parliament, and both Houses Answers thereunto: Therefore this bare, sottish, false assertion to the contrary deserves no other answer, but contempt, and the Objectors merit no other character for it then that of Titus 1. 12, 13. The Cretians are alwayes Lyars, evil Beasts: This witnessse is true.

Object. 16.
A Reply of
two of the Bre-
thren to A. S.
1762, 63

The eighteenth Objection is this; That power which in the use of it directly tends to defile and pollute the consciences of men, either by destroying the softnesse, tendernesse or ingenuity of them, or by disturbing the lawfull peace or comfort of them, or by how, is a power from beneath, not from above: But such is the coercive power in matters of Religion, to crush Schismes, Heresies, &c. wherewith A. S. would faine befrend himself in the civill Magistrate; Ergo. The truth of the Assumption appears in this consideration; when the conscience of a man hath once broke the bounds and tie of its owne light, and prostituted it selfe to the desires and lusts of men, against the graine of its owne judgment and reclamation (whereunto it is secretly tempted and urged) when a man is threatned deep, in case he shall not comply with the State in their Religion, his judgment and conscience being wholly averse to it, one of these great evils commonly befalls him: First, God takes no pleasure in such a conscience; afterwards, he withdraweth himselfe from it; and leaves it unto it selfe; wherupon it falls upon a course of hardening it selfe; and by degrees contracts a boldnesse, impudence and desperatenesse in sinning. Secondly, by reflecting on what it hath done in such a case, and casting it up between God and it selfe, how grievous a sinne it is to trample upon its owne light, upon any consideration whatsoever, it brings it selfe into grievous Agonies of Perplexities and Horror, out of which it never recovers afterwards.

As one of the
Objectors Mr
J. G. his Con-
science hath
oft times done
in his wheel-
ing from one
side and opi-
nion to ano-
ther so often.

Answ.

To this answer, first, that this Argument is founded meerly upon false and carnall reason, without and against all Scripture, being of the same straine as the former. Secondly, the Assumption is a grosse falsehood, proved neither by Scripture, nor Historicall Examples, nor Experience, but asserted onely by the Objectors. Thirdly, it confounds the abuse of the Magistrates coercive power, with the lawfull use thereof (as the two former Arguments did) and makes the abuse to nullifie the use. Fourthly, it makes a casuall contingent effect of the use of this coercive power, (which seldom happens, & that through the parties own default who is restrained, punished or onely frightened thereby) to abolish the ordinary good use and effect thereof, *to wit*, the reall conversion and reformation of Hereticks, Schismaticks and Blasphemers (not the pollution of their consciences, a meer contingent not proper effect;) which effect I have proved at large, it usually produceth, and was ordained purposely to produce, by Gods owne institution. Fifthly, the two objected inconveniences arising from the use of this coercive power, are produced very rarely, and that in few or none; but the contrary effect ordinarily in many; yea, I dare assert it, to be a lesse sinne to the party punished, farre lesse dishonour to God, and lesse mischiefe to a Christian Church or State, for Hereticks, Schismaticks, Blasphemers to embrace the true Religion and worship of God, established by the State, to repair to, & join wth our Assemblies in all publick Ordinances; contrary to the graine of his own leduced judgment, erroneous inclination, then to persevere in damnable Heresies, Schismes, Blasphemies, which his erroneous conscience apprehends to be agreeable to the Truth: Therefore this pretended mischief, must vanish into smoak, and can no wayes impeach the use of the Magistrates coercive power. Sixthly, I retort, that the first of these two pretended effects, not usually appearing in any one restrained Heretick, Schismatick or Blasphemer, is experimentally verified in the highest degree in many of the Objectors unrestrained, unpunished Saints, faithfull and anointed spirituall ones, whom they so much exalt in a superlative manner, for their transcendent holinesse; their very impunity for three yeers space, hath caused God so farre to withdraw himselfe from their formerly tender consciences, and to leave them so farre unto themselves (as he did the Circumcellions among the ancient Donatists) that they have many of them by degrees contracted such a boldnesse, impudence and desperatenesse in sinning, inventing most damnable, execrable horrid Blasphemies, Heresies, Errors, Tenets, concerning the Father, Sonne and holy Ghost, and their respective Deity, Unity, the sacred Scriptures, all Gods Ordinances almost, the immortality of the soule, the salvation of all men and devils, and the like; committed such horrid outrages, maintained the lawfulnessse of such prodigious finnes, practises, and printed such scurrilous, malicious, railing, slanderous Libels, against both Houses of Parliament, the Assembly, Scots, our Religion, Worship, Directory, Minister, Churches, Ordinances, Lawes, and persons of greatest eminency and desert, as all the Ages from Adam till 1641. are unable to parallel; as Master Edwards

See Master Edwards his Gangranes, especially the third part. Master Barles Anabaptisme and Dissuasive

hath largely demonstrated in his *Gangrenes* beyond contradiction: All which such a severe execution of our Laws against Hereticks, Schismatics, Blasphemers, Sectaries, Anabaptists, would have prevented and crushed in the shell; from which I may justly conclude, That God will take no more pleasure in them or their consciences; and if he ever give them grace to reflect upon these Enormities, their Heresies, Blasphemies, Schismes, it will bring them into such grievous agonies of perplexity & horror, as (I doubt) they will never recover out of them afterward; and for which they are already for ever lost in the opinions of all truly pious and conscientious Christians, who have been made acquainted with these their exorbitances. And thus (I trust) I have unanswerably answered those Arguments which the Author of *A Reply of two of the Brethren to A.S.* (to wit, *John Goodwin*) challengeth *A.S.* to answer solidly and theologue-like, *BY REASON* (he addes not Scripture, which he excludes) not by vote, which he profitteth himselfe unable to answer, and to make him separate in judgment from *A.S.* and others in the point in hand.

Page 63.

Object. 19.

Monifortius
Refutat eorum
non pro per-
secut. dici so-
lent: Beza de
Heretis a
Magistratu
universis:
pellarmine
BL aicis, l. 3.
de 2.

c. 2. Answer.

Epiphanius,
Augustine, Ire-
neus, Alphonfus
a Castro, and
others, adv.
Heretis.

There is one grand Objection more, much insisted on in former times by Donatists and Anabaptists; and that is from the 1 Cor. 11. 19. For there must be also Heresies (or Sects) among you, that they which are approved may be made manifest among you. Whence they argue thus; That which must needs be, that they who are approved may be made manifest, may not, nor ought not to be punished nor suppressed by the civill Magistrate: But such are Heresies and Sects, as this Text defines. Therefore they are not to be punished nor suppressed by the civill Magistrate.

I answer, first, that the proposition is meerly false in sundry particulars: I. There is no absolute necessity that there should be Heresies and Sects in the Church of God, nor yet in this or that particular or Nationall Church; but it is meerly contingent, through Gods permission, Satans malice, Mens pravity, pride and corruption, as Authors who have written of Heresies, and Comentators on this Text accord. II. This Text speaks not properly of Heresies, but rather of Divisions and Sects; as is cleere by comparing it with the next preceding words; I boare there be Divisions (or SCHISMES) among you, and I partly beleve it: for there must be also Sects (as the margin of our new Translation and others render it) among you (not in every Church in every Age) that those who are approved, may be made manifest among you; and with chap. 1. v. 10, to 17. Now there may be Schismes without Heresies, properly so called (as all accord,) though seldome or

* See Theodor.
Ecc. Hist. l. 4.
c. 23, 29,
32. l. 5. c. 5. l. 3.
15.

never any grosse Heresie without * Schisme. III. Admit there were an absolute necessity of Heresies in every particuler or Nationall Church in all Ages, more or lesse (which this Text imports not;) yet it follows not thence; Ergo, they must be tolerated, and not suppressed, nor Hereticks punished and put to death; for by such Logick and Divinity, no sin nor wickednesse, nor Malefactor whatsoever, should be punished or suppressed, but all tolerated without impunity: There is as great a necessity in regard of mans corrupt nature, since his fall, that there should be Traytors, Murderers, Theeves, Idolaters, Sodomites, and hainous capitall offences and of

enders of all sorts in all Ages (especially in the last times) as well as Heresies and Hereticks; as is cleer by Gal. 5. 19, 20, 21. Rom. 1. 25, to 31. 1 Cor. 5. 1 Tim. 3. 1. to 7. 2 Pet. 2. and daily experience: will it therefore follow, that Traytors, Murderers, Theeves, Idolaters, Sodomites, and the most detestable crimes and Malefactors of all sorts, must neither be restrained nor punished, especially with death? Impudency it selfe dares not assert it: If therefore the necessity of these finnes and hainous Malefactors, will not excuse nor exempt them from punishment, no more will the necessity of Heresies or Hereticks in the Church, exempt them from suppression and punishment by the civill Magistrate; and the Objectors may as well argue: Men must not write, preach, pray nor dispute against them; as that they must not punish them. Our Saviour himselfe refutes this consequence as absurd, Luke 17. 1, 2. Matth. 18. 6, 7, 8, 9. But whoso shall offend one of these little ones which beleeveth in me, it were better that a Millstone were hanged about his neck, and that he were drowned in the depth of the Sea: Woe unto the world because of offences; for IT MUST NEEDS BE THAT (so Matthew) or, IT IS IMPOSSIBLE BUT THAT OFFENCES WILL COME, (so Luke) but WOE to the man by whom the offence cometh: Wherefore if thy hand or thy foot offend thee, cut them off, and cast them from thee; it is better for thee to enter into life halt or maimed, rather then having two hands or two feet, to be cast into everlasting fire, &c. If then the necessity of offences, and impossibility but that they will come, doth not excuse those by whom they come, either from Woe, Punishment, or Hel-fire it selfe, by Christs owne resolution; and therefore we must cut off a right hand, a right foot, and pull out a right eye, in case they offend us, to preserve the whole body from hell and destruction; then by the same reason, the necessity of Heresies and Schisms will neither excuse nor exempt Hereticks nor Schismaticks from temporal or eternall Woes, punishments, or from being cut off and rooted out, when incurable or incorrigible, to preserve the whole body of a Church from infection and ruine. IV. If this be no good Argument or consequent (as all will grant) There is a necessity, that the earth, by reason of Gods curse upon it, should bring forth Bryars, Thornes and Weeds, which will and doe alwayes spring up in our Gardens, Grounds and among our Corne, Gen. 3. 17, 18: Mat. 13. 25, 26, &c. Heb. 6. 7, 8. Ergo, we must not weed nor pull up such Thistles, Bryars, and Weeds out of our Gardens, Grounds, Corne, but suffer them to grow without controll. Nor this: Foxes, Wolves, Beares, and other Beasts of prey, doe by a naturall instinct and necessity, devour and pray upon Lambs, Sheep, and other Cattle; therefore it is unlawfull to chase them away from the Sheep, Heard, Poultry, or kill them for devouring them; or to kill or drive away Rats, Mice, or Vermine from our Corne, on which nature teacheth them to feed, to preserve their lives: Then certainly the Objection by like reason must be as absurd & incoherent as these Arguments, though there were a necessity of Heresies and Schismes. V. Admit there were a necessity of Heresies and Schismes in generall, yet there is no necessity that such or such a particular

x See 2 Thes.
2. 10, 11.
2 Pet. 3. 1. *Al-*
fonfus de Castro
lib. 1. advers.
Hereses, Su-
ma Angelica &
Rosell, Tit.
Heresis; and
all Authors
generally in
the definition
of Heresie
from the cry-
mology of the
word.

y See 2 Tim.
2. 16, 17, 18.
2 Tim 3. 1, 10, 7.
1 Tim. 4. 1, 2,
3. 2 Pet. 2. 1,
&c. *Irenæus*;
Epiphanius,
Augustin, *Al-*
fonfus a Castro
adver. Hereses

Object. 20.
2 See the
Bloody Te-
nent, The
compassionate
Samaritane.

Ans.

a De Hereticis
a Civili Magi-
stratu punien-
dis.

ticular Heresie should spring up, or that such a particular person should either be an Heretick or Schismatick; and if any be such, it is from their owne & free choyce or love of Error, and through their owne default, not any inevitable necessity imposed on them by God; therefore they may be justly punished for it both temporally and eternally, as well as those who crucified Christ in pursuance of Gods owne Councell and Decree, which neither mitigated nor extenuated their voluntary sin, *Act. 2. 22, 23, 58* *ch. 4. 26, 27, 28.* 1 Thes. 2. 15, 16. VI. The necessity of Heresies and Schismes did not prohibit nor restraine Paul himselfe from smiting *Elymas* the Sorcerer with blindness, *Acts 13. 6, to 13.* nor from delivering *Hymeneus* and *Philetus* (who denying the Resurrection, and subverted the faith of some) to Satan, 1 Tim. 1. 19, 20. 2 Tim. 2. 17, 18. nor from casting out the incestuous Corinthian, 1 Cor. 5. 5. nor from wishing those that troubled the Galatians to be cut off, Gal. 5. 21. nor from opposing Schisme and Schismaticks, 1 Cor. 1. 8, to 17. Rom. 16. 17, 18. 1 Tim. 4. 1, 2, 3. 2 Tim. 3. 1, to 7. Tit. 3. 10, 11. Therefore it can no more exempt them from temporall punishments by the civill Magistrate, then Ecclesiasticall by Church-Officers, and the Apostle Paul himselfe. Finally, the contingent good which Hereticks and Schismaticks sometimes doe to those that are approved, doth no wayes plead for their toleration, or impunity, because it is contingent; *All Heresies and Schismes* are in their owne natures evill, dangerous, destructive, pernicious; If Gods overruling providence turnes them to good to some, yet they are dangerous and pernicious to most; and therefore deserve both suppression and punishment by Gods own expresse precept, *Jude 3, 4, &c.* *Rev. 2. 13, 4, 11, 5, 20, 21.* 2 John 9, 10; 11. Rom. 16. 17, 18. 1 Tim. 1. 19, 20. The Devill himselfe and his malice is sometimes an accidentall occasion of good to the Saints; yet they must resist him stedfastly, else he would devour them, James 4. 7. 1 Pet. 5. 8, 9. Eph. 6. 12, 13. So ill humours, diseases, casually doe the body good sometimes, but it is by purging of them out with Physick and Phlebotomy, else they will become mortall: so it is with Heresies and Schisms, they will prove damnable and pernicious, if not purged out of the Churches body: All which considered, the Argument from this objected Text, will prove a meer inconsequent and absurdity.

As for the other Objection which the Independents and Sectaries of late cry up, 2 That no man now is guided with an infallible Spirit, so as infallibly and certainly to define what is Heresie and Blasphemy, what not: Therefore men are not to be capitally punished for Heresie or Blasphemie: (They might adde by the like reason, not for any other crime.)

I answer briefly (because answered at large by Master Beza heretofore, and by Master Edwards now, in his Treatise against Toleration, and elsewhere touched upon here, but fully refuted in my Truth triumphing over Falshood, pag. 152, to 156.) First, that this Objection proves our Sectaries and Independents, who object it, meere Nullifidians, who beleve not the very Principles of Religion with an infallible certainty of falsh, as indubitable Truths, but onely as probable Tenets, which may be false as well as true

in

in which they are worse then Papists, who, though they plead for doubting of their owne salvation, yet they doubt not at all of their Religion, though erroneous: Yea, worse then the veriest Turks and Pagans, who beleeve their Idolatrous Religions to be infallibly true. Secondly, I wonder how these Objectors dare professe or embrace any thing in Religion, which they beleeve not certainly to be an infallible truth; since whatsoever is not of faith is sinne, and he that doubteth is damned, Rom. 14. 23. or how they can with comfort suffer for it. Thirdly, we have the true reason of our Sectaries and Independents sicklenesse and daily changes from one opinion to another, till they become flat Schismatics or Atheists, because they beleeve nothing with certainty. Fourthly, we have here an infallible evidence, that they are neither good Saints nor Christians, much lesse the onely Saints and anointed ones, as they stile themselves, since the Saints are all rooted, grounded in the true Christian Faith, and led infallibly into all divine Truths necessary to salvation, which they both beleeve and have been taught, Col. 2. 7. 1 Pet. 1. 12, 19. Ephes. 3. 17. 18. chap. 4. 14, 15: 1 Cor. 15. 58. Luke 1. 1, 2, 4. James 1. 6, 7, 8: 1 Cor. 16. 13. Phil. 1. 27. chap. 4. 1. John 15. 13. ch. 8. 32. 1 Tim. 4. 3. Fifthly, there are some Principles in Divinity, which all true Saints and Christians infallibly beleeve and know, both concerning God the Father, Christ, the holy Ghost, the divine Attributes, the sacred Scriptures, and other Fundamentals of Religion; and all Heresies or Blasphemies concerning them, are or may be infallibly knowne, and so corporally and capitally punished, in some cases; but especially by such godly Magistrates and Christian States, who certainly know and beleeve them, the Heresie or infidelity of the Heretick, Schismatick or Blasphemer, being an Argument of his obstinacy, not a superfluous to the beleeving Magistrates punishments, who is assured both of their Heresie and Blasphemy, and of his owne authority to punish them.

Having now runne thorough, and satisfactorily (as I humbly conceive) refuted all the principall Arguments (and in them all others of lesser moment reduceable unto these, fully answered by Master Beza, de *Hereticis Capitali supplicio afficiendis*; & Bellarmine, de *Licet*, cap. 22.) of late produced against the Christian Magistrates Legislative and Coercive power to suppress or punish Idolaters, Apostates, Hereticks, false Teachers, Schismatics, Blasphemers; the most of them, if not all, being borrowed verbatim from the Hereticall Donatists heretofore, and Anabaptists of later times, and now new-minted and obtruded upon ignorant people, under the specious title of **NEW GOSPEL LIGHT, AND THE VERY MIND AND WILL OF JESUS CHRIST**; I shall here openly challenge Master Dell, Master Peters, Master Goodwin, yea the whole rout of Sectaries, Anabaptists, Independents, to rally and re-enforce these their routed scattered Forces, Arguments, by a solid Reply, or to yeeld the field and cause for ever lost, past all recovery: And I shall also cordially desire all those who have been seduced by their sophistry, seriously to ponder my Replies to all their Objections; and if they find them satisfactory, no

b Master Dells
Epistle and
Sermon past
sim.

longer

longer obstinately to maintaine a State-Church-Soule-destroying Paradox or Schismaticall, Anti-Magistraticall Error, to encrease or support an Anabaptisticall or Anarchicall Faction, who endeavour all they can to subvert both our Magistracy and Ministry (and thereby our Church and State) to bring meer Anarchy and confusion into both; at first covertly, but now professedly in Pulpit, in Presse, without a vaile: Certainly after a serious survey of all their Arguments, Practises, Aimes, I cannot but pronounce that sentence of the Apostle against them, Rom. 3. 12, to 19. *They are all gone out of the way, they are altogether become unprofitable; there is none that doth good, no not one: Their throat is an open Sepulcher, with their tongue they have used deceit; the poyson of Aspes is under their lips: Destruction and misery is in their wayes, and the way of peace they have not knowne; there is no feare of God before their eyes: And therefore cannot but admonish all men in his following words, Ro. 16. 17, 18. Now I beseech you Brethren, mark them which cause Divisions and Offences, CONTRARY TO THE DOCTRINE WHICH YEE HAVE LEARNED, AND AVOYD THEM: For they that are such, serve not the Lord Jesus Christ, but their owne belly, and by good words and faire speeches, deceive the hearts OF THE SIMPLE.*

Object. 21.
e See the Arraign-
ment of
Persecution,
A bloody Ten-
nent, &c. and
sundry such
like Pam-
phlets.

Now because all of this rank (who pretend themselves the onely Saints and Gods peculiar Portion) are apt to cry out, PERSECUTION, PERSECUTION, with open mouth, when any the least motion is made to restraints or suppress their growth or insolency, proclaiming to all the world, their fear of persecution, in Presse and Pulpit, before ever they have suffered in the least degree in purse or person; and perchance will tearme me, a persecuter of the Saints, a Blood-sucker, &c. for publishing this Treatise (as they have formerly done, for barely opposing them by way of Argument, in their erroneous wayes of Schisme:) I shall onely answer this malicious calumny as a further Objection, and then conclude.

A. 1. w.

First then I affirme, That it is an Argument of a very bad cause, of a base unregenerate Spirit, a carnall, unzealous heart, and self-seeking disposition, clamorously to cry out against, and professe an extraordinary feare of persecution, or to endeavour to prevent it by such exclamations: A truly gracious Heroick Christian spirit disdaines all such exclamations. Never doe we read in Scripture of any such degenerate expressions of fear of persecution made by Christ, or any of his Apostles or Saints, nor yet in Ecclesiastical Stories or Martyrologies by any godly Martyrs: but contrarily they all generally accounted their Sufferings, their Torments, yea, their very bloodiest Martyrdomes, to be not onely their Crownes and Glory, but their Option, and the thing they most desired: Our blessed Saviour foretelling his Disciples of his Death and Passion, Peter thereupon, out of a carnall love to Christ, took him aside and began to rebuke him, saying; Be it farre from thee Lord, this shall not be done unto thee: But he turned and said unto Peter, Get thee behind me Satan, for thou savourest not the things of God, but of men. And speaking of his Death, he saith, Luk. 22. 50. I have a Baptisme to be baptized with, and how am I pained till it be fulfilled? Yea, Christ for the joy that was

f Mat. 16. 21,
22, 23.

set before him desired, and endured the *Crosse*, but despised the shame. leaving us an example that we should follow his steps. Wee read of Paul Acts 20. 22. 23. 24. That he went bound in the spirit to Ierusalem; though the holy Ghost witnesssed in every City, that bandes and imprisonments did abide him; yea he addes of himselfe. But none of these things move mee, neither count I my life deare unto my selfe, so as I may finish my course with joy, and the Ministry which I have received of the Lord Iesus, to testifie the Gospell of the grace of God. And Acts 21. 11. 12. 13. When the Prophet Agabus, prophesied, that the Jewes should binde Paul hand and foot at Ierusalem, and deliver him into the hands of the Gentiles; and thereupon some of his followers and others of Cesarea, desired Paul not to go up to Ierusalem; Paul would by no meanes be perswaded, but answered them with this increpation: What meane yee to weep and to breake my heart? for I am ready, not to be bound only, but also to die at Ierusalem for the name of the Lord Iesus. Yea, as He and Silas sung praises unto God at midnight, even when they were scourged, cast into the inner Prison, and their feet made fast in the stocks: never once crying out of persecution: So a little before his Martyrdome at ROME, he brake forth into this triumphant expression [z] I am now ready to be offered, and the time of my departure is at hand: I have fought a good fight, I have finished my course, I have kept the faith: henceforth there is laid up for me a Crowne of Righteousnesse, which God the righteous Iudge shall give me at that day. It is Recorded of MOSES, Hebr. 11. 25. 26. That he refused to be called the sonne of Pharaoh his Daughter, chusing rather to suffer affliction with the people of God, then to enjoy the pleasures of sinne for a season: esteeming the reproach of Christ, greater riches then the treasures of Egypt: for he had respect unto the recompence of reward. And we read of [a] the beleiving Hebrews: That [a] whilst they were made a gazing stocke through reproches and afflictions, yet even then they tooke it & the spoyling of their goods joyfully, knowing that they had in Heaven a better and more enduring substance. Yea (b) our light affliction which is but for a moment, worketh for us a far more exceeding and eternal weight of glory. Vpon this ground all the magnanimous Saints of God, not only rejoyced in the hope of the glory of God, but even c gloried in tribulation, & bid this publike defiance to all sorts of persecutions whatsoever.

[z] 2 Tim. 4. 6, 7, 8

[a] Hebr. 10 33, 34

[b] 2 Cor. 4. 17

[c] Rom 5. 2 3

[d] Rom. 8. 35. 36. 37.

[e] Hebr. 11. 35.

[*] 2 Pet. 1. 5. 6 7.

d Who shall separate us from the love of Christ? shall tribulation, or distresse, or PERSECVTION, or famine, or nakednesse, or perill, or Sword? (as it is written) for thy sake are we kill'd al the day long, we are accounted as sheep, for the slaughter;) Nay, in all these things, wee are more then Conquerors, through him that loved us. And therefore we read of some Martyres, who in the middest of their tortures [e] would not accept deliverance, that they might obtaine a better resurrection. Yea, the elect scattered Saints to whom Peter writes: * Did greatly rejoyce in their heavenly inheritance, even when they were for a season in heaviness, through manifold temptations; That the triall of their faith, being much more precious then of Gold that peri-

meth, though it bee tryed with the fire, might be found unto honour and
 'praise, and Glory, at the appearing of Jesus Christ. It is the first lesson our
 'Saviour learnes all those who will come after him; to (g) deny themselves,
 [g] Mar. 8. 34. 'and take up his crosse daily and follow him: *And the Scripture is expresse.*
 Lu. 9. 23. '(h) That al that wil live Godly in Christ Iesus, shall suffer persecution; And that
 [h] 2 Tim. 3. 'it is (i) given to the Saints, in the behalfe of Christ, not only to beleive on him,
 11. 12. 'but al o to suffer for his sake: and this is both (k) their blessednes, and highest
 [i] Phil. 1. 29. 'honour they are capable of; for (l) if we suffer with him, we shall also raigne
 [k] Math. 5. 10 'with him. Vpon which ground Peter thus bespeakes the Saints, [m] Beloved,
 11. 1 Pet. 3. 14 'think it not strang concerning the fiery tryall which is to try you, as though
 15. 'some strange thing hapened unto you: But REIOYCE, in as much as ye are
 [l] 2 Tim. 2. 'partakers of Christs sufferings, that when his glory shall be revealed, ye may
 14. 'be glad also with exceeding joy. If ye be reproached for the name of Christ,
 (m) 1 Pet. 4. 12 'happy are yee, for the spirit of Glory and of God resteth upon you; on their
 10 19. 'part he is evill spoken of, but on your part hee is glorified: But let none of
 'you suffer as a Murderer, or as a Theefe, or as an evill doer, or as a busie body
 'in other mens matters, yet if any man suffer as a Christian, let him not bee
 'ashamed, but let him glorifie God on this behalfe: Wherefore let them that
 'suffer according to the will of God, commit their soules to him in welldo-
 'ing, as unto a faithfull Creator. From all these Texts, as likewise from this
 description of the Saints, Rev. 12. 11. *That they loved not their lives unto the*
death: it is most apparent, that the Objectors extraordinary feare of, and
clamors against persecution, proceed from a meere degenerate, carnall, base,
unchristian spirit, and discovers them, to be none of those true hardy faithful
Servants of God, who bid defiance to al persecutions for Christs sake, & rejoycing &
being exceeding glad, [as the Apostles did] that they are accounted worthy to
suffer shame, imprisonment, losse of Goods, or their very lives for his name or
truth; and I doubt their consciences tell them, their very way and cause is
naught, because they are so afraid to suffer in, or for it; [o] fearing those only
who can kill the Body, at the utmost, and doe no more: but not him who
can cast both soule and body for ever into hell. Let this their fearefullnesse,
unwillingnesse to suffer any thing for Christ, with their whining & crying out
like Swine, before the knife be neare their throats, or any Coards about their
Legges, (whereas [p] Christs sheepe, like himselfe, are mute, not opening once
their mouth before the shearers or Butchers] convince both them and others,
 (n) Acts 5. 41. 'that for all their vaunting of, their Saint-ship, they are no true generous
 (o) Math 10. 'Saints, nor Sheepe of Christ, but rather [q] Swine in Sheeps Cloathing.
 28. '2ly. I answer, it is no persecution nor cruelty at all either in Godly Chri-
 [p] Isay 53. 4. 'stians to informe against, or prosecute; nor in godly Magistrates to punish ob-
 Act. 8. 'stinate Heretickes, Schismatickes, Seducers, or Blasphemers, with Fines, im-
 (q) 2 Pet. 2. 12 'prisonments, banishment, and in some cases with capitall punishments, after all
 22 'other milder and spirituall meanes attempted for their conversion: It is no
 (r) Mar. 5. 29: 'cruelty, but necessary Christian pollicy to cut of a gangrend [r] member, to pre-
 30 'serve the residue of the Body even from suddaine destruction; or to cut off a
 right

right hand [r] & pull out a right eye to save the whole body from perishing. It was no persecution but an act of piety and necessary justice for Godly Princes to kill and destroy Idolaters, Seducers, and false Prophets under the Law; Therefore it can be no persecution to suppress, imprison, Fine, banish, burne, or put to death incorrigible pestilent, execrable Heretickes, false-Teachers, Blasphemers, or Schismatickes under the Gospell. yea it is an act (s) of spiritual mercy both to themselves, and others, to the States and Churches wherein they live, and an act of cruelty, or destructive mercy to spare them. It is an act not only of mercy but love in naturall Parents, to correct their Children when they do amisse, to reforme, and amend them: it is an act of [t] greatest mercy and Love in God our heavenly Father to do the like, as the Scriptures plentifully manifest. It was an act of love & mercy, not severity in God, to captivate & afflict *Manasseth*, [u] thereby to humble him for, and convert him from his enormous sinnes: So likewise to dethrone and humble [x] *Nebuchadnezer* in the very height of his pride, to bring him to the knowledge of himselfe, and confession of the infinite all-disposing power of God; Yea it was an act of extraordinary love and compassion in Christ, to unhorse and terrifie *Saul* [y] from Heaven, and strike him with astonishment and blindness, when as he was persecuting him in his members, thereby effectually to convert and make him of a bitter Persecutor, an Apostle and most active spreader of the Gospell in many Countries; & therefore he records it as an act of Gods richest mercy & love, 1 Tim. 1. 12. to 17. So by the selfesame reason, it is a worke both of mercy, love and piety in the Christian Magistrate, (not of cruelty and persecution) to restraine and punish obstinate Heretickes, Seducers, Blasphemers, Schismatickes, and that in a threefold respect: First, to the parties restrained, or punished, because it many times converteth them from their (z) damnable Heresies, Errors, Schismes, Blasphemies, which would bring upon them swift destruction, when no meanes else will prevail; or if not, at least it hinders them from doing so much mischief, & multiplying their sins so greatly as otherwise they would, in which regard *Paul* tearms the higher powers the Ministers of God for good, even to those whom they punish for their misdoings. 2ly. It is an act of mercy and love to others, in preserving them from being infected, seduced, destroyed by the damnable errors, Heresies, Blasphemies, Schismaticall practises of those who are thus punished and suppressed. 3ly. To the whole state and Church wher. in they live, in preserving publike peace and unity among them, which their Errors, Heresies, Blasphemies, Schismes would utterly dissolve, and in diverting Gods wrath and vengeance from them, which the impunity of such Malefactions would justly bring upon them. On the contrary. to tolerate and connive at such, is an (b) act of cruelty and injustice, both to the parties offending, who hereby are much encouraged, hardened, and suffered to persevere in their Errors, Blasphemies, Heresies, Schismes, to their destruction, Whence (c) *Ambros* concludes: *Est injusta misericordia. In ipsa Ecclesia ubi maxime quis misereri debet, teneri quam maxime debet forma justitie, ne quis a consortio communionis vel criminationis abstractus, brevi lachrymula atque ad tempus parata, vel etiam uberioribus fletibus communionem quam plurimis debet*

[s] See Gratian
Caus 23. qu. 4.

[t] Hebr 12. 5.
to 12. Deutr. 8.

5. Prov. 3. 11. c.
13. 24.

7. 2 Chron. 33
11. 20. 10.

[x] Dan. 4. 32.
&c.

[y] Act 9

(z) 2 Pet 2. 1.

(a) Rom. 13. 4.

See Dr. Willets

Comment: on

Rom. 13. qu. 10.

See Christo-

stom: Theophy

last, Haymo.

Lyra, Peter

Martyr, Scto

Marlorat and

Perxus in le-

cum.

[b] See Gratian

Caus 23 qu

3. 4. 5

[c] De Offi-

ciis 1.

Gratian Causa

23. qu. 4.

[d] Gratian

Caus 23 qu. 3

[*] Gratian
caus. 23. qu. 3.

* Socrat. Schol.
hist. Eccles. hist.
lib. 4. cap. 22.
Tripart. hist. l.
8. c. 3. Niceph.
Eccles. hist. l. 9.
c. 29. 46 l. 11.
c. 28.
f August. contr.
Cresc Gram.
l. 3 c. 42, 43.
Optatus Mil.
cont. Parm.
here. p. 129,
130, 131.

* Fox Acts &
Monuments.
* Chytraeus
Chro. Sax l 12
13 here. p. 46,
47. 153.

[k] Page 2.

postulare temporibus, a facilitate Sacerdotis extorqueat. Nonne etiam cum uni indulgeat indigno ad prolapsionis contagium provocat universos? Facilitas enim venia incentivum tribuit delinquendi. Yea, it is a great sinne in, & a cruelty against those who tolerate such without punishment or restraint. [] Nam qui potest obviare & perturbare perversos & non facit, nihil est aliud quam favere impietati eorum: Nec caret scrupulo societatis occulta, qui manifesto facinori desinit obviare, & qui desinit obviare cum potest, jubet.*

Thirdly, I answer, that those who most cry out against persecution, when they get any power, are commonly themselves the greatest, mercilesslest, and most cruell persecutors of all others: witness the cruelty of the * *Arians heretofore against the Orthodox Christians*, who exceeded the very Heathen persecutors in their outrages & cruelties: witness the ancient [f] *Donatists*, who writ clamours and argued most of any against persecution the power of the civil Magistrate, the lawes and punishments enacted and but moderately executed against them, for their Heresie and dangerous Schism: who yet, as S. *Augustine* proves at large, were the bloodiest and most outrageous persecutors of all others, where they had any power; making use of the Apostate Emperours *Julians Edicts* against the Orthodox Christians, to dispossesse them of their Churches, estates, lives: their Circumcellions first with clubs, and after that with swords, murdering and spoiling many in all places in a most tumultuous manner, so as the Emperours were enforced to suppress them by force of armes, and execute some of them to terrifie the rest. Witness the bloody * *Papists* proceedings against our *Martyrs*, who yet cry out of persecution against us, for executing some of their seditious trayterous, Priests & Jesuites: & the * *Anabaptists* unparalleled tyrannical seditious, bloody proceedings in *Germany*, at *Munster* and elsewhere: with some *Anabaptistical Sectaries* carriages of late in *England* towards their Ministers, Neighbours: & some of their fellow-souldiers, who would have none dissenting from them in opinion, or party, either in our *Parliament*, *Army*, or in any place of publick profit, or trust, were it in their power; and admitting none to preach or communicate in their separate Congregations, though never so pious, who will not conform exactly to all their fancies; as their daily practises their manifold late libellous seditious printed Pamphlets, and Mr. *Edwards* his *Gangrenas* at large discover: Let them therefore give over, & abandon the sin of persecution themselves, and cast this beame out of their own eyes, Churches, before they finde fault with that seeming mote of Persecution which they so much exclaime against in their Presbyterian Brethrens eyes.

Finally, I have [k] premised this at first, That both Ministers and Magistrates, are to use all possible sweet, milde, and gentle means, to reclaime, reforme Idolaters, Hereticks, Seducers, Blasphemers, Schismaticks, before they proceed to corporall or capitall punishments: and when they are necessitated to punish any such by reason of their own wilfull obstinacy, for the vindication of Gods glory, the preservation of the truth, and purity of Religion,

gion, the maintenance of the Churches, Kingdomes publick peace, the prevention or diversion of Gods judgements, and keeping the souls of their people from infection and destruction: they ought to do it, not out of any uncharitable, malicious, or revengefull spirit, or in an insulting, taunting, angry manner; but with a melting, bleeding, tender, compassionate spirit, lamenting their obstinacy; yea, with a desire by the punishments inflicted to reform and save their soules, and interrupt their future progresse in these sinfull courses: in such a manner 1 as God himself corrects his dearest Saints, or a father his only best-beloved son, when they offend: or as a [m] Chirurgeon lacereth his patient, or canterizeth his ulcers out of meer love and tendernesse, to preserve the parties life when there is no other means of cure. To punish Hereticks, Schismaticks, Idolaters, False-teachers, Apostates, Blasphemers, with such affections, by inflicting such corporall or capitall penalties as their respective crimes deserve, when no means else will work upon them, is so far from demeriting the odious name of *Persecution*, that it deserves the very title of *mercifull, compassionate, necessary piety and justice*, commended by the very Heathen Poet in this Distick, as the resolution and vote of *Inspirer* himself.

[f] 1 am. 3. 33.
Hol. 11. 8, 9.
c. 64.
Ier 31. 18, 19,
20.
[m] See Gr-
tian caus. 23.
qu. 4.

[n] *Cuncta prius tentanda, sed immedicabile vulnus;
Ense recidendum est, ne pars sincera trahatur.*

[o] Ovid. Me-
tamorph. l. 1.

For the Presbyterians part, I may truly say unto our presently seduced Hereticks and Blasphemers in their names. [o] as Bish. Jewel did to Harding and the Papistes. *As for us, we runne not for succour to the fire, as these men guise is, but we run to the Scripture; neither doe we reason with the sword, but with the Word of God. We were never yet guilty of one drop of your blood: We seek no aid of fire or sword: We will rather say with S. Hierome, [p] Utinam filios Hæreticorum, & omnium, qui decepti sunt, interficiamus sagittis spiritualibus, id est, testimoniis Scripturarum: Would God we may rather kill the children of Hereticks, and all them that are deceived with spirituall arrows, that is to say, with the testimonies of the Scriptures. And with S. Augustine, [q] O si occidas eos de gladio bis acuto, & non sunt hostes tui; sic enim amo eos occidi sibi, ut vivant tibi. Would God thou wouldst kill them O Lord, with the two edged sword, (that is, with thy holy Word) that they may no longer be thy enemies: For so I wish them to be killed unto themselves, that they may live unto thee. And again, Vindictæ nos Deus de vobis, ut ipsum errorem vestrum, in vobis occidat, & nobiscum de veritate gaudeatis. God so revenge our cause against you, that he may kill the errors in you, that you may rejoyce together with us of the truth. This, this is the REVENGE that we seek upon you, as this day it may appear, if you will be tractable; & yet we say again with the same Jewel of our Church, & we know well enough, that the same Word which was opened by Christ, and spread abroad by the Apostles, is sufficient both for our salvation, and also to uphold and maintaine all truth, and to confound all manner of Heresie. By that Word only doe we condemne all sorts of the old Hereticks, whom these men say we have*

[o] The defence of the
Apol. part 1.
c. 22. Divis 1.
p. 530, 531,
532.
[p] Hieron. in
Esay l. 5. c. 14.
[q] Confess.
l. 12 c. 14.

[r] The defence of the
Apol. part 3.
c. 1. Divis 3.
p. 387.

Have called out of Hell again. As for the Arians, the Eutychians, the Marcionites, the Ebeonites, the Valentinians, the Carpocratians, the Tatians, the Novatians, and shortly all them that have a wicked opinion, either of God the Father, or of Christ, or of the Holy Ghost, or of any other point of Christian Religion, for so much as they be confuted by the Gospel of Christ, wee plainly pronounce them for detestable and damned persons, and desie them even unto the Devil. Neither doe we leave them so, but we also SEVERELY and STRICTLY HOLD THEM IN BY LAWFUL AND POLITICK PUNISHMENTS, if they fortune to break out any where, and betweene themselves.

[1] On Rev.
2. v.

I shall close up all with the words of [1] famous and religious M. Perkins, a man formerly highly honoured by all our dissenting brethren, who borrowed most of their true, but none of their New-light from his industrious Works. Every man is not left to his own conscience, to teach and hold what Doctrine he will; But ALL SUCH MEN OR WOMEN as teach erroneous doctrine, are to be restrained by the Governours of the Church. It is a grievous fault in any Church, not to restrain the Authors and Maintainers of Sects, and false Doctrines, and of opinions which stand not with the truth of Gods Word. And on the contrary, It's a vertue and good gift in any Church when they restrain the authors and labourers of Sects and false doctrines. And in this regard our Church is to be commended and approved, and the Common-wealth likewise, for making lawes to restrain both Popish Recusants and some Protestants, who depart from this our Church, as being no Church of God, but a member of Antichrist and of Babylon.


* Causa 23. qu.
4

I hope his Resolution, seconded with the conclusion of * Gratian (which he proves by many sentences of Fathers, *Vindicta (hereticis & schismaticis) est inferenda, non amore ipsius vindicta; sed zelo justitia, non ut odium exerceatur, sed ut pravitas corrigatur.* with the precedent Treatise, justifying the lawfulness hereof in point of conscience, will excite all godly Christians (according to their duty & solemne Covenant,) to put it into due and speedy execution in point of practise, for the suppression of al present, prevention of all future Heresies, Errors, Schismes, Blasphemies, whose licentiousnesse and impunity may justly expose us to more grievous publicke judgements of all sorts, then any we have hitherto suffered from the avenging hand of our provoked God.

Augustine Epist. 167.

Quid igitur hic faciat Ecclesia medicina salutem omnium materna charitate conquirens, tanquam inter Phreneticos & Lethargicos astuans? Nunquid contemnere, nunquid desistere vel debet, vel potest? Vtriusque sit, necesse est molesta, quia neutr' est inimica. Nam & Phrenetici nolunt ligari, & Lethargici nolunt excitari: sed perseverat diligentia charitatis, Phreneticum castigare, Lethargicum stimulare a nobis amare. Ambo offenduntur, sed ambo diliguntur; ambo molestati, quamdiu agri sunt, indignantur, sed ambo sanati gratulantur.

FINIS.



Errata.

Gentle Reader I shall intreat thee to pardon and correct these
Errors of the Printers.

PAG. 2. 14. l. read, thought, p. 15. l. 27. r. *concitare*, p. 25. l. 1. r. *he commands*, p. 32. l. 3. Rom, r. *Ren*, p. 65. l. 9. Townes. r. *Turnes*, p. 70. l. 28. *A. contentuous*, p. 72. l. 15. *Curia*, p. 79. l. 2. *ai gue*, p. 81. l. 28. *but*, p. 84. l. 18. *mee*, r. *wee*, p. 87. l. 18. *dele*, in, p. 106. l. 21. *exorbitant*, p. 124. l. 15. *times*, p. 125. l. 33. *viuendi*, p. 126. l. 26. *abjecerit*, l. 42. *Dominus*, p. 127. l. 18 *propter*, l. 19. *calorum*, p. l. 27. *ca. lumniosi*, l. 35. *dilectione*, p. 128. l. 7. *humano* p. 129. l. 19. *affligendum*, l. 25. *privata*, l. 26. *que inerant ablatis, ipsi etiam laniati*, l. 37. *aut*, p. 130. l. 11. *nocturnis*, l. 21. *dele*, l. 24. *vehemenenter*, p. 132. l. 34. *eum* r. *enim*, p. 133. l. 37. *Melhusum*, p. 135. l. 42. *intimating*, p. 136. l. 12. *Amphilochius*, p. 143. l. 12. *Gretseri*, p. 146. l. 26. *perpetratis*, p. 147. l. 21. *sapientum*, l. 24. *reddamur*, p. 150. l. 16. *Cum*, p. 89. l. 45. *dele*. *Lu. i. p. 97. l. 21. Ergo*, p. 205. l. 6. *Magistrates*, p. 106. l. 36. *senfible*, p. 157. l. 15. *groves* p. 159. l. 1 *for*.

In the Margin, p. 61. b. 49. r. *Patavinus*. p. 110. l. 9. *Antoninus*, p. 112. l. 2. *Mr.* p. 115. l. 5. *Hereses*. l. 10. *Beauxamis*. p. 136. l. 24. *CTesiphontem*, p. 152. l. 12. *dele. rhe*, p. 138. l. 42. *Surius*, l. 14. *Annot*, p. 86. l. 19. *Lit*, p. 109. l. 1. *Scorpiacum*, p. 110. l. 2. *transiret*, p. 153. l. 10. *burgius*.

